AN

APPEAL

TO

REASON and JUSTICE,

IN BEHALF OF THE

BRITISH CONSTITUTION, &c.

(Price Two Shillings and Sixpence.)

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The Thoughts, not The Appeal,

is by Pulteney.

AN
APPEAL
TO
REASON AND JUSTICE,
IN BEHALF OF THE
BRITISH CONSTITUTION,
AND THE
SUBJECTS OF THE BRITISH EMPIRE.

In which the preſent IMPORTANT CONTEST with the REVOLTED COLONIES is impartially conſidered, the Inconſiſtency of MODERN PATRIOTISM is demonſtrated, the SUPREMACY of PARLIAMENT is aſſerted on Revolution Principles, and AMERICAN INDEPENDENCE is proved to be a manifeſt Violation of the Rights of Britiſh Subjects.

TO WHICH IS ADDED,

An APPENDIX,

Containing REMARKS on a Pamphlet intitled,

"THOUGHTS on the preſent STATE of AFFAIRS with AMERICA."

By WILLIAM PULTENEY, Eſq.

In Facinus juráſſe putes. OVID.

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AN

APPEAL, &c.

HAD the *real* patriots whoſe conſummate wiſdom planned, and whoſe inflexible reſolution eſtabliſhed, a conſtitution of government which Britons once eſteemed it their greateſt happineſs to poſſeſs, and their higheſt ambition to defend, been told that the time was not far diſtant, when an attempt to ſubvert that conſtitution would be approved, applauded, and abetted by the pretended guardians of our liberty; they would have regarded the improbable prediction with noble diſdain. But experience fatally convinces us, that however incredible ſuch a prophecy might ſeem to our wiſe and virtuous anceſtors, it is actually fulfilled, in theſe unhappy times of moral and political degeneracy.—Men who ſtile themſelves the friends of their country, eſteem it perfectly

conſiſtent with their ideas of patriotiſm, to juſtify the manifeſt violation of the Britiſh Conſtitution, and aſſert the cauſe of its moſt inveterate enemies.

It is allowed, their ſpeeches abound with elegant invective and keen ſatire; their offenſive weapons are highly poliſhed, and ſtrongly envenomed, and however inſufficient to defend their allies, are admirably well adapted to annoy their adverſaries.—The leaders of oppoſition are too clear ſighted to overlook the weakneſs of the American cauſe; convinced it cannot be defended by argument, they artfully direct their attack againſt the perſon of the Miniſter, and the conduct of the war, cautiouſly avoiding an enquiry into the *original ground* of the diſpute.—They know, for they have often tried, the powerful effect of raillery and perſonal invective.—It is not to the reaſon, but to the paſſions of the people they appeal; they do not want to convince, but to inflame. If they can make the Miniſter odious, his meaſures will be certainly condemned, and their purpoſe fully anſwered.—"*New men and new meaſures*" is their conſtant cry, and if the people could be induced to join heartily in the chorus, the *accurſed* Miniſtry muſt depart, and the *righteous* patriots enter in.

But is this a time for Britons to be duped by

by ſo glaring, ſo ſtale an impoſture? Do the patriots imagine the Britiſh nation will tamely ſubmit to ſee thoſe men admitted to his Majeſty's confidence, who proſtitute abilities which would have honoured, and ought to have ſerved, the cauſe of truth, of juſtice and of Britain, to vindicate and ſupport the moſt unnatural rebellion that ever diſgraced the annals of any age or nation!

Is this the grateful return our American Colonies afford for Britiſh blood and treaſure expended in their defence? Was it for this the native valour of Britain was exerted, her ſtrength exhauſted, and her millions diſſipated? Does it ſeem equitable in the judgment of Britons, that the braveſt and freeſt nation upon earth, ſhould be *ſubdued* and *enſlaved* by thoſe Colonies they have enriched and defended? That the Engliſh veteran ſhould now be *ſlaughtered*, by the hands of thoſe for whom he had formerly *bled*? That *unprovoked*, *premeditated* violence ſhould be the reward of implored effectual protection. That the leaders of American rebellion ſhould ſolicit the alliance of their natural enemies, and endeavour to league with the nation that *would have* conquered them, againſt that which *did* defend them? That Britain having withſtood the united force of France and Spain, as the enemies of her Ame-

rican Colonies, ſhould now be liable to engage in a war with theſe nations as their *allies*?

Can Britons bear to look with unconcern on theſe ſtrange events! Can they patiently hear the ungrateful authors of their aggravated wrongs juſtified, nay applauded, by men who call themſelves the friends of their country?

But the patriotic adherents of the rebel Americans tell us, theirs is the cauſe of liberty and whigiſm—that they are "honeſt rebels" that the Miniſtry act on the principles of toryiſm, &c. &c. From theſe and many more abſurdities of a ſimilar kind, ſtrenuouſly maintained by the patriots, it is evident they would think their triumph incomplete, if they did not at once inſult the common ſenſe, and violate the rights of Engliſhmen. It is demonſtrably true, that the preſent unhappy conteſt was begun by the revolted Americans, who denied and reſiſted the ſupreme authority of Parliament, *in direct violation of the fundamental principles of the Britiſh Conſtitution*; for to *that authority alone* does the preſent form of government owe its *exiſtence*—by that *authority alone* was the glorious revolution *effected*, by that *alone* can it be *juſtified*, and by that ſupreme Parliamentary authority was the allegiance of the anceſtors of theſe rebels transferred, from James the Second, to William the Third, and afterward,

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by the Act of Settlement, to the illuſtrious family of his preſent Majeſty; ſo that they are *rebels* to the *Britiſh Conſtitution*, though their *avowed* advocates here, are the *pretended* friends of that very conſtitution.—Such is the *conſiſtency* of modern patriotiſm! If the authority of Parliament does not extend to the Colonies, the revolution and the Act of Settlement were, with reſpect to them, acts of the moſt *unexampled tyranny*, ſince they actually elected *kings* for a people over whom they had *no legal juriſdiction*. But, even at a time when the ancient government was diſſolved by the abdication of James the Second, and the preſent conſtitution eſtabliſhed by the revolution which placed William and Mary on the throne—when the powers *delegated by the whole people (in whatever part of the Empire they might reſide)* to the Legiſlature, were clearly defined, fully underſtood, and ſtrongly exerted, at this moſt remarkable and important period, the *inhabitants of the American Colonies in the plaineſt and cleareſt manner acknowledged themſelves* to be virtually repreſented in the Britiſh Parliament, ſince they actually transferred their allegiance in ſubmiſſion to its decrees.—The American Colonies could not poſſibly have given a *ſtronger* proof of their *voluntary Aſſent* to the ſupreme authority of Parliament, than they did at the Revolution, and

there

there could not poſſibly have been a fairer opportunity afforded them to object againſt it, if they had thought it arbitrary or unjuſt. Yet the negation of Parliamentary authority (which the Coloniſts had in this deciſive manner acknowledged and confirmed) is the occaſion of the preſent war, with its horrid attendants, miſery, deſolation, and ſlaughter.

If the revolted Colonies cannot prove the cauſe to be juſt for which they unſheathed the ſword, all the miſchief, and all the guilt of the war is undoubtedly chargeable on them, and the civil enormity of rebellion, is greatly aggravated by the moral crime of injuſtice.

That the claim of exemption from Parliamentary authority, in ſupport of which the revolted Colonies took up arms, is illegal and unconſtitutional, is certain beyond the poſſibility of a doubt; yet if they could prove this claim to be founded on the principles of *natural juſtice*, no argument drawn from the aſſent of their anceſtors to ſubmit to Parliamentary authority, from the ſpirit of the Britiſh Conſtitution, or even from their own obedience to former Acts of Parliament, impoſing taxes on them, could abrogate the inherent unalienable birth-right of all mankind, to deliver themſelves from tyranny and injuſtice. Uſage and precedent cannot juſtify oppreſſion, on the contrary they are

aggravations

aggravations of the evil, and afford ſtronger reaſons for reſiſting it. This latitude of argument every impartial man in Britain would be willing to allow the Americans in defending their cauſe, and if they could produce convincing evidence of its juſtice, I ſhould eſteem it of little conſequence to prove it unconſtitutional, ſince in my opinion, juſtice is of ſuperior authority to any government upon earth.

But could the Americans give the cleareſt demonſtration of their natural right to independence, and of the tyranny and injuſtice of the Britiſh government in attempting to inforce their obedience, their patriotic friends in England, who pretend to juſtify the rebellion *on the principles of the conſtitution*, would be convicted of the groſſeſt folly and inconſiſtency. For let us ſuppoſe the claim of exemption from Parliamentary authority to be juſt, does it not neceſſarily follow that the conſtitution, which *diſſallows* ſuch exemption is unjuſt, and *vice verſa*. It is impoſſible *both* ſhould be right, ſince the vindication of one, is the condemnation of the other. Yet the preſent race of patriots, ſuperior to the infirmity of bluſhing, gravely tell us that they are the guardians of the Britiſh Conſtitution, and the advocates of the American rebellion—that the preſent adminiſtration, who carry on the war in defence of the conſtitution

ſtitution are a wicked abandoned junto, acting on the principles of toryiſm, and the rebels who are in arms to deſtroy it are "honeſt rebels" engaged in the cauſe of whigiſm. Now if the Americans who endeavour to *ſubvert* the conſtitution are *honeſt whigs*, and the miniſtry who oppoſe them are *wicked tories*, it would be kind in the patriotic friends of the conſtitution, to communicate their opinion of its illuſtrious *founders*, and as a further teſt of their boaſted *adherence* to *revolution principles*, they could have no objection to anſwer the following plain queſtion. Could an Act of the Britiſh Parliament transfer the allegiance of the American Colonies from James the Second, to William the Third?

But, patriots are too cunning to be ſo eaſily detected, nor will they anſwer queſtions, or render reaſons upon compulſion. The impartial inveſtigation of truth is an object of too little importance to engage their attention. They are actuated by very different motives; all they wiſh is, to gain converts to their party, by ſpecious and plauſible ſuggeſtions—if they are believed, the end is accompliſhed—if the ſophiſtry of their arguments is detected, they will not retract what they cannot defend. Truth has not power to convince, nor ſhame to reſtrain them, and though confuted they will not

not be ſilent. They have recourſe to evaſion when deficient in argument, and will aſſume as many forms as Proteus, to illude the ſuperior force of reaſon.

If the manifeſt impoſſibility of juſtifying the American rebellion, on the principles of the Britiſh Conſtitution ſhould be proved even to demonſtration, the patriots who boaſt they can perform this impoſſibility would not own themſelves miſtaken; but would extricate themſelves by ſhifting the queſtion. They would perhaps ſay to what purpoſe is it to revive the * "ſtale "thread-bare ſubject of taxation and repre- "ſentation, or the *nonſenſe* of a virtual repre- "ſentation, of three millions of our Ameri- "can ſubjects in the Britiſh Parliament. Yet this *nonſenſe* of *virtual* repreſentation is the baſis of our conſtitution, for if the Houſe of Commons is not the virtual repreſentative of all the Commons of the Britiſh Empire, except the inhabitants of Ireland, the Conſtitution which has been ſo juſtly admired and applauded, and for which the patriots affect ſo high a reverence, is an heterogeneous mixture of nonſenſe and villainy. A patriot can eaſily ſolve this difficulty by ſaying, the ſubject has been ſufficiently agitated and need not be revived. But if the advocates of rebellion aſ-

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* See Mr. Wilkes's Speech on the Declaratory Act.

ſume a right to aſſert in favour of their cauſe, falſhoods that have been repeatedly detected, and to urge arguments that have been often refuted, with the ſame confidence as if they had never before been advanced, ſurely the friends of Government have an equal right to uſe repetition. Do the minority expect that a new anſwer ſhould be given, as often as they think proper to revive an old objection? Through all their tedious debates, "the ſame "dull leaden iteration reigns," the ſame illiberate perſonal abuſe of miniſters—the ſame unmeaning indiſcriminate cenſure of the meaſures of Government.

While they tell we are enſlaved and oppreſſed, the virulence of their invective proves the falſhood of their aſſertions. Nor could the moſt ſtrenuous advocate for the preſent happy Conſtitution, and lenient adminiſtration, produce ſuch convincing proofs of the unbounded extent of liberty, which the ſubjects of Great Britain at preſent enjoy, as the patriots every day afford, by their unreaſonable inflammatory invectives againſt adminiſtration, and their abſurd and indecent vindications of the unjuſt, unconſtitutional, ungrateful, American rebellion. Our Government is too wiſe, and too careful of its ſubjects liberties, to reſtrain even the licentiouſneſs of faction. In England

every

every man is free to expreſs his ſentiments of public meaſures, and of thoſe who conduct them, in what manner he pleaſes. The leaders of oppoſition not content with the privilege of cenſuring the conduct of adminiſtration in their Parliamentary debates, have the additional ſatisfaction of ſeeing their inflammatory declamations tranſmitted to the moſt remote part of the Britiſh Empire by that convenient and expeditious vehicle a news-paper. In theſe impartial regiſters of public tranſactions, the judicious compiler always profeſſes to hold the ſcales of political juſtice with an even hand, though it requires but little penetration to diſcover the general inclination of the balance to the patriotic ſide.

Leſt the public ſhould be ſo dull to diſcover it, the editor kindly informs them, all the wit, argument, and eloquence proceeds from the minority, while the wretched contemptible majority, can only open their mouths to call for the queſtion; if the flame of liberty at any time ſeems to abate, he ſupplies it with fuel, and doubtleſs the orations of a C—m, or a B—ke have often been illuminated by a ſpark of his patriotic genius.

The liberty of the preſs has been juſtly called the palladium of Engliſh liberty, and while government not only permits it to remain un-

impaired, but ſuffers it even to proceed to licentiouſneſs, we may be aſſured our freedom is not in danger of being ſacrificed to arbitrary power. Where tyranny prevails, its miſerable victims are denied the wretched conſolation of complaining.—In England the loſs of liberty may be deplored becauſe is is not felt.—In America ſlavery muſt be *ſilently* indured.—In England the adherents of rebellion are railing at Government.—In America Britons are perſecuted for daring to vindicate the cauſe of their country. Weak and contemptible muſt be the conduct of Government, when it fears the teſt of impartial public examination; wicked and tyranical muſt be the Men, who dare not ſubmit their conduct to the impartial judgment of the people by whom they were inveſted with authority, who have no means to make their meaſures approved, but by puniſhing all who diſſent.—Yet ſuch is the government, and ſuch are the rulers whom the ungrateful Colonies have preferred, to the mild and juſt authority of the Britiſh Legiſlature. "Aude alteram partem" is a maxim which ill agrees with the deſpotiſm of an American Congreſs. Yet in contradiction to theſe clear and indubitable proofs of injuſtice and tyranny, it is aſſerted by the advocates for the Americans, that they are actuated by the principles of liberty,

berty, and that Government, or (to borrow the faſhionable phraſe) adminiſtration is influenced by maxims of cruelty, oppreſſion and deſpotiſm.

But theſe aſſertions are now generally diſbelieved, the bulk of the community have ſenſe enough to detect their fallacy, and to diſcern, that government is contending for *their* rights, and fighting *their* battles, and that it is no leſs their intereſt than their duty, to obſtruct the pernicious progreſs of ſedition, and to repreſs the unjuſt virulence of rebellion.

From the baſe uſes to which it has been applied, the name of patriotiſm once accounted ſacred, is become a term of reproach among the people; the brazen ſerpent has loſt its power to charm, and like other objects of ſuperſtitious idolatry, will paſs from adoration to contempt.

But while the cauſe of ſedition is ſupported by men of diſtinguiſhed abilities, many who are caught "with the whiſtling of a name," will adhere to it merely from the difference they think juſtly due to their ſuperiors in knowledge, or political diſcernment. This ſuperiority will be to them a deciſive confirmation of any aſſertion, however fallacious or improbable, deaf to the voice of reaſon, and incapable of being convinced, they would reply to the ſtrongeſt

ſtrongeſt arguments in the true cant of patriotic enthuſiaſm.

" *Brutus* has ſaid it, we muſt ſay it too,
" For *Brutus* is an HONOURABLE MAN,
" So are they all—ALL HONOURABLE MEN."

" Does not Lord C—m and Mr. B—ke tell us the Miniſtry are deſtroying the Conſtitution, the Miniſtry compelled the revolted Colonies to aſſert their Independence, &c. &c. and do not Lord C—m and Mr. Burke know better than either of us?" To this ſhrewd argument, which is the *ne plus ultra* of their logic, it would be ſufficient to reply, Lord M—d and N—th who are as far our ſuperiors in abilities, as Lord C—m and Mr. B—ke, maintain a contrary opinion, and on your principles, you ſhould believe them *all* to be in the right, though they aſſert manifeſt contradictions.

A man who is fully convinced he is incapable of forming an opinion of his own, but muſt take upon truſt, ſuch as his acknowledged ſuperior in abilities thinks proper to maintain, would certainly do well, to obſerve a profound ſilence on all ſubjects of a doubtful nature, or if obliged to give his ſentence, to content himſelf with a bare affirmative, or negative, without attempting to aſſign a ſingle reaſon for his aſſent, or diſſent, ſince he does not ſpeak his own opinion, but anothers.

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On the other hand, he ought by no means to be accuſed of arrogance, or ſelf ſufficiency, who is determined to be guided by the light of his own reaſon, however feeble it may be, and to apply the underſtanding God has given him to the purpoſe for which it was beſtowed, by forming an opinion for himſelf, on ſuch ſubjects as he may think it neceſſary to conſider, in the beſt and moſt impartial manner his limited abilities will allow; neither pretending to be infallibly right himſelf, nor paying implicit deference to the opinion of any man, but endeavouring to preſerve the liberty of a rational free agent, and the diffidence of a being by nature liable to error.

In thoſe unhappy regions where tyranny prevails, the mind is no leſs in ſubjection than the body; *thoughts* indeed cannot be controuled, but the means of *communicating* them are denied; the boaſted privilege of reaſon ceaſes to be a bleſſing, when it muſt be employed in contemplating its ignominious bonds.

The unbounded freedom of inquiry enjoyed by the ſubjects of the Britiſh Government, is the moſt conſiderable of the many bleſſings and benefits, by which they are diſtinguiſhed from the reſt of their fellow creatures. This ineſtimable privilege compenſates in a great degree for the forfeiture which mankind are obliged

to

to make of their natural equality, when they renounce the ferocious liberty of ſavage life, for the neceſſary ſubordination of ſociety. By the exerciſe of this right, an artificial equilibrium is eſtabliſhed in the community, more beneficial, and perhaps more exact, than that which philoſophers *conceive* to exiſt in their *imaginary* ſtate of nature. For granting that man is not naturally a ſocial animal, that every man is born with *equal rights*, and totally independant of his fellow animals, what will theſe conceſſions avail, unleſs it can be proved, that all men are created with *equal powers*, mental and corporeal, to *aſſert* their rights? If this is not the caſe, the equilibrium cannot be maintained.

But in that ſociety where every member enjoys a liberty of communicating his thoughts, an active permanent principle exiſts, which preſerves equality without deſtroying ſubordination.

The greateſt peer of the realm, nay even the chief magiſtrate himſelf, is obliged to ſubmit his conduct to the examination of the meaneſt of his ſubjects, who has a *right* not only to paſs his judgment on the actions of his Sovereign, but to *communicate* his deciſion to the public. While other nations are held in diſgraceful ſubjection to men, who are by *nature* their equals, and by *accident* their tyrants,

Britiſh

Britiſh ſubjects are thus far on a level with their governors, that *all* are bound to obey the ſame law, the conduct of *all* is ſubmitted to the ſame free inquiry, *all* are equally amenable to the reſpectable tribunal of the people. Thus government is continually reminded from whence it derived its origin, and for whoſe benefit it was inveſted with authority.

While the liberty of the preſs remains, the people cannot be enſlaved. But it ſhould be uſed with decency and moderation, otherwiſe it will be in greater danger from the licentiouſneſs of faction, than from the oppreſſion of tyranny; the former will as certainly terminate in anarchy, as the latter in deſpotiſm.

Which of theſe dreadful alternatives is moſt to be feared, cannot at this alarming and important period, admit of a doubt. The leaders of ſedition are daily abuſing the liberty of the preſs by applying it to the worſt of purpoſes, They *deceive* the people they pretend to *inform* —they *undermine* the Conſtitution they profeſs to *defend*.

The alliance between faction and rebellion, however unjuſt, is by no means unnatural. Derived from the ſame parent, they have an hereditary antipathy to government, and will co-operate with each other to effect its deſtruction.

But if the freedom of our Conſtitution permits the leaders of oppoſition to plead the cauſe of their American brethren, the public, to whoſe impartial deciſion they pretend to appeal, have certainly a right to expect they ſhould ſo far profit by the example of their allies, as to be *open* and *conſiſtent* in their attack on government.

If they agree in opinion with the revolted Americans, let them avow their real principiples, and demonſtrate the *juſtice* of the claim to abſolute Independence, advanced by the American Congreſs. Let them throw aſide the maſk, which inſtead of *concealing*, makes them ridiculous, and not pretend to be friends to the Conſtitution, or the inhabitants of Great Britain, ſince the cauſe they eſpouſe can only be defended by arguments, directly *ſubverſive* of the former, and manifeſtly *injurious* to the latter. If they are convinced *Government* is arbitrary, or unjuſt, in aſſerting the legiſlative authority of Parliament over the Colonies, they muſt allow the Conſtitution from which that authority is derived, to be *founded in tyranny*. They *know* the *pretended* diſtinctions between external and internal taxation to be childiſh and abſurd ;—they *ſee* the unavoidable neceſſity of admitting one of the following propoſitions to be true, and

only

only one. The Engliſh American Colonies *are* virtually repreſented in the Britiſh Parliament—or they *are not*. If they *are*, Acts of Parliament muſt be equally coercive in the Colonies as in Britain. If they *are not*, Parliament never ought to have exerted any authority over them at all, but both Houſes of Parliament *are now, and always ought to have been*, with reſpect to the Colonies, a collection of " unacknowledged individuals," as the Congreſs in their declaration of Independence *inſolently*, (though on their principles *juſtly*) calls them.

Yet with that inconſiſtency inſeparable from modern patriotiſm, which is ever at variance with itſelf, the leaders of oppoſition conſtantly maintain, and endeavour to reconcile, the moſt direct manifeſt contradictions. Perhaps this ſtrange conduct may not be very difficult to account for, and may be rather the effect of *neceſſity* than *choice*. The advocates of rebellion in Britain, whatever their ſentiments may be, *muſt* ſpeak a different language from its leaders in America; *there* it is called the noble effort of a *great people*, to extricate themſelves from dependance, and to chuſe a government for themſelves, as every *ſeperate* ſociety of men have a *right* to do; but were the patriots to advance theſe opinions in

England, they know the good ſenſe of the people would immediately diſcover the fallacy of their argument, public indignation would be rouſed at the baſe injuſtice of their attempts, and inſtead of ſupporting the aſſumed character of patriots, or friends to their country, they would be regarded with general contempt and averſion.

They muſt therefore purſue a different conduct from the Americans, and endeavour to gain the confidence of the people, by flattering their prejudices, and inflaming their paſſions.

They know the high veneration with which Britons juſtly regard their excellent Conſtitution of Government—they know too the enthuſiaſtic love of *liberty*, and *conſequently* hatred of *toryiſm* for which our countrymen are diſtinguiſhed. This is the foundation on which modern patriotiſm ſtands. The leaders of oppoſition are convinced all they have to do is, to impreſs the people with an opinion, that Government is determined to deſtroy their liberties, to undermine the Conſtitution, and to erect a ſyſtem of tyranny on its ruins. However improbable and contradictory to fact ſuch opinion may be, it is their intereſt to advance it, to ſupport it, and if poſſible to get it credited. The apparent difficulty

difficulty of the attempt does not diſcourage them, nor is it in reality by any means ſo conſiderable as it would appear to calm diſpaſſionate men, unacquainted with the *powerful* influence of prejudice and popular clamour. It is by a forcible and judicious application of theſe engines, the opponents to Government hope to ſucceed.

Thus the common cauſe is conducted on very different principles here and in America. Oppoſition, by the plan it is obliged to purſue, of *defending* the *rebellion* on the principles of the *Conſtitution*, is continually involving itſelf in abſurdities and contradictions, while the Congreſs, more bold and deciſive, openly declare they owe *no allegiance* to the Government, *no reverence* to the Conſtitution; *no obligation* to the inhabitants of this country.

Whether the Americans can prove they are *juſtly* intitled to the Independence they have aſſumed, will be the ſubject of *future* inquiry; but it is *firſt* neceſſary to refute the arguments, and expoſe the abſurdity of their advocates in England.

Since the aſſociated Colonies have declared themſelves *Free and Independent States*, the Legiſlature is not ſo *immediately* intereſted in the diſpute as the people themſelves. Though

inhabitants

inhabitants of Great Britain and its dependencies, are now become *principals* in the war, and Government does not oppoſe the Americans to maintain its own dignity, but to aſſert the *rights* of *all* its ſubjects, which are unjuſtly infringed by the Declaration of American Independence.

With reſpect to the diſpute between the Britiſh ſubjects, and the Americans, as it is now conducted, arguments drawn from the principles of the *Conſtitution*, and the example of Parliamentary authority, exerciſed on former occaſions, would produce no conviction in them, ſince their Declaration of Independence is a *final* diſſolution of the *ſocial compact*, by which they were united with the other ſubjects of the Britiſh Empire. The important queſtion between Britiſh ſubjects and American rebels is not to be determined by an appeal to a Conſtitution which they have *renounced*, but *by the immutable laws of natural juſtice*, from which no declaration of Independance can abſolve them; to theſe they have dared to appeal, and by thoſe their cauſe ſhall be tried.

But the diſpute between *Government* and *oppoſition*, is confined to much narrower limits; *both parties* refer it to the *Conſtitution*, which they

they *readily* allow they are *equally* bound to obey.

The queſtion therefore between Government and Oppoſition is ſimply this, " whether " the American Colonies are juſtifiable on " the principles of the *Britiſh Conſtitution*, " in refuſing obedience to Acts of the Britiſh " Legiſlature ?"

The leaders of oppoſition are by no means deſirous to have this queſtion diſcuſſed, becauſe they know the critical ſituation in which they ſtand. Whether it is determined in the affirmative, or the negative, their confuſion muſt be equally the reſult. They pretend to be advocates for the rebellion, and ſtrenuous ſupporters of the cauſe of whigiſm. But if they admit that Parliament *has* a Conſtitutional right to tax the Colonies, how is the rebellion to be defended? If they maintain Parliament *has not* ſuch a right *now*, they muſt of neceſſity acknowledge it *never had*, and that *all* the illuſtrious *champions of whigiſm* are guilty, in a *much higher degree*, and have exerciſed much more *cruel* and *oppreſſive* tyranny, than the preſent Government, ſince they laid *much heavier* taxes on the Colonies by Acts of Parliament, at a time when they were *leſs* able to bear them, and by theſe acts of tyranny *violated* the very *Conſtitution* they

they had *eſtabliſhed*, and bound themſelves, by the moſt *ſolemn obligations* to *preſerve* and *defend*.

To avoid this dilemma, the patriots recur to their uſual reſources, and fearing to truſt their cauſe to the deciſive event of fair impartial reaſoning, they endeavour to promote its ſucceſs by *evading* a queſtion they dare not *examine*: artifice ſupplies the deficiency of truth, and invective is ſkilfully ſubſtituted for argument. Groundleſs accuſations confidently advanced, and unſupported aſſertions obſtinately maintained, are the formidable weapons employed againſt Government, by the adherents to the cauſe of rebellion.

> Non tali auxilio nec defenſoribus iſtis
> Tempus eget.

It is true they have not followed the examples of "that reſpectable and much in-"jured body of men," the righteous Congreſs; they have not digeſted the various crimes they impute to adminiſtration into the form of *ſeparate articles*. It would have been impolitic in them to have done ſo; beſides they would not have acted with a becoming deference to "the Free and Independent "States," had they preſumed to interfere with them, in the exerciſe of that prerogative,

tive, by which " Congreſs" ought to be peculiarly diſtinguiſhed from all other ſocieties; they *created*—and they ſhould excluſively *enjoy*, the ſingular priviledge of publiſhing to the world, a *falſe*, *defamatory*, and *inſolent libel*, on the King, the Government, and the People: to whom they were indebted for every political advantage they poſſeſs—from whoſe *indulgent weakneſs* they have acquired the power to reward benefits with injuries.

That the leaders of oppoſition do not deſire to *methodize* the accuſations they bring againſt Government, is evident from the variety, incoherence, and confuſion obſervable in them, which is manifeſtly the effect of deſign, nor is it difficult to aſſign a reaſon for this ſtudied perplexity. They know the fallacy of their charges is eaſily detected, and do not wiſh to have them examined, but endeavour to confound by their number.

As it would be equally tedious and unneceſſary to reply to every trivial objection urged by the opponents of Adminiſtration, I ſhall endeavour to ſelect thoſe which are moſt ſtrenuouſly inſiſted upon, and are in themſelves of moſt material conſequence. Theſe I ſhall diſtinguiſh as ſo many ſeparate articles, each of which I ſhall particularly conſider.

In proſecuting this plan, the important queſtion in diſpute between Government and Oppoſition, concerning the Conſtitutional right of Parliament to tax the American Colonies will neceſſarily be diſcuſſed.

ARTICLE 1. Adminiſtration has violated the Conſtitution, by attempting to inforce the obedience of the Colonies, to an Act of the Britiſh Legiſlature.

ART. 2. Government is maintaining the conteſt with the revolted Americans on the principles of toryiſm.

ART. 3. The Colonies were provoked by Government *firſt* to revolt, and *afterwards* to aſſert their abſolute Independance.

ART. 4. The war is carried on againſt the revolted Colonies, merely to ſupport the dignity of Parliament.

If I do not greatly miſtake, theſe articles contain the moſt important and material accuſations brought againſt Government, by the leaders of Oppoſition, with reſpect to the *principles* on which the American war has been proſecuted.

Thoſe objections which relate to the *conduct* of it, I do not mean to conſider. Whether military operations could have been *more wiſely* planned, or *more ſucceſsfully* conducted, are queſtions I do not pretend to decide.—My only

only deſign is to prove the injuſtice of the rebellion, and the neceſſity of oppoſing it.

ARTICLE 1. Adminiſtration has violated the Conſtitution, by attempting to inforce the obedience of the Colonies to an Act of the Britiſh Parliament.

It has been already obſerved that the revolution which eſtabliſhed, and the Act of Settlement which confirmed, the Britiſh Conſtitution, were the moſt powerful exertions, and conſequently the moſt evident proofs of the ſupreme legiſlative authority of Parliament, over the Colonies; yet it does not appear that the *Coloniſts of thoſe days* thought theſe extraordinary inſtances of Parliamentary authority illegal, or oppreſſive; they did not then intitle Acts of the Britiſh Parliament,* "acts of pretended legiſlation," nor complain of the *injuſtice* of tranferring their allegiance to a new ſovereign, *without ſo much as conſulting them*, or pretending to require their formal aſſent to theſe important acts, in which the intereſt of every ſubject of the Britiſh Empire, was ſo materially and ſo immediately concerned.

It is hardly to be ſuppoſed that the leaders of Oppoſition, men who profeſs the higheſt

 veneration

* See the Declaration of Congreſs.

veneration for the Conſtitution, and boaſt their adherence to the principles of whigiſm, will ſay that the Revolution, and the Act of Settlement were unconſtitutional, arbitrary, and unjuſt; yet all this they muſt admit, if they aſſert that the Colonies were not repreſented in the Parliaments which exacted their obedience to ſuch high and important acts of ſupreme authority; on the other hand, if they allow the Colonies were repreſented in Parliament *then*, they cannot deny them to be repreſented *now*, and it muſt neceſſarily follow, that the preſent Government is authoriſed to maintain the ſupremacy of Parliament over the Colonies by the principles of the Conſtitution, and by the examples of its illuſtrious defenders.

The alternative therefore is unavoidable, oppoſition muſt either renounce the Conſtitution, or the rebellion, for it is impoſſible to vindicate both. Their abſurd attempt to ſeparate *taxation* from *legiſlation*, and to advance an opinion that Parliament cannot conſtitutionally exert the *former* act of power, though it may exerciſe the *latter*, over the Colonies, is ſo far from *ſerving* the cauſe of rebellion, that it is a manifeſt demonſtration of its *weakneſs*. How indefenſible muſt it appear even to its *ableſt* advocates, when they

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are reduced to employ ſuch pitiful *evaſions* in its ſupport! If I do not greatly miſtake, it is to Lord C—m himſelf the rebels are indebted for this notable plea; any argument that is enforced by ſuch reſpectable authority muſt be worthy attentive conſideration, and though reaſon may forbid us to give it our implicit aſſent, it ought to be examined with a degree of veneration, nearly approaching that religious awe with which we ſhould regard a ſacred myſtery. With becoming reverence I find myſelf obliged to obſerve, that the *diſtinction* between taxation and legiſlation, ſeems to be totally *foreign* to the *Britiſh Conſtitution*, and what is ſtill more unfortunate for the noble orator, it appears to be a diſtinction without a difference. For tho' all *laws* are *not taxes*, all *taxes* muſt be *laws*, otherwiſe it might be *rather* difficult to collect them, therefore taxation and legiſlation muſt be *inſeparably* united, till mankind are diſpoſed to pay *taxes* without being *legally* obliged to it. Whether the patriots in Britain, or their brethren in America, will be the *firſt* to give this laudable example of public munificence, muſt at preſent remain a matter of doubt.

Be that as it may, there is no occaſion to preſs the argument further, ſince if it ſhould be

be admitted, in compaſſion to the weakneſs of patriotiſm, that *taxation* is *not* legiſlation (or that taxes *may be* raiſed *without* law) which is a *pretty handſome* conceſſion, the dilemma ſtill remains, and the queſtion may be repeated. If the Colonies *are* repreſented in Parliament, why ſhould they *not* be taxed by it? If they are *not* repreſented, why ſhould they obey its laws?

But ſtill further indulgence may be allowed to the advocates of rebellion, without injuring the cauſe of Government. There is no neceſſity to impoſe on them the *painful* taſk of anſwering a queſtion, which muſt convict them of maintaining the groſſeſt abſurdities, and moſt evident contradictions.

In the preſent caſe, the deciſive evidence of *facts* is alone ſufficient to vindicate Government from the charge of *innovation*, or of an *unconſtitutional* or *unprecedented* exerciſe of power in attempting to tax the Colonies; and to prove that *internal taxes* have actually been raiſed upon them, by Parliamentary authority, through every ſucceſſive reign, from Charles the Firſt to that of his preſent Majeſty. Theſe ſeveral acts have been ſo frequently recited by the advocates for Government in the courſe of the preſent diſpute, that it

is totally unneceſſary to quote them on this occaſion, and if the memories of patriots were not exceedingly treacherous, I cannot think it poſſible they could ſtill aſſert, in ſpite of ſuch convincing evidence, that taxation of the Colonies by Parliament is unconſtitutional.

If, as the dernier reſort, they ſhould attempt to defend the cauſe of rebellion on the principles of equity, and ſay "whether the exertion of Parliamentary authority over the Colonies is *conſtitutional* or not, is of little conſequence; we aſſert that it is *unjuſt*, and therefore ought to be aboliſhed;" as an advocate for the rights of Great Britain, I ſhould reply, "what advantage the cauſe of *American Independence* can derive from this argument will be a matter of future inquiry; but the *patriotic* adherents to the righteous cauſe in England, have entirely *precluded* themſelves from the benefit of it, ſince *they, as ſupporters of the Conſtitution*, are obliged to vindicate *every act* of the Britiſh Legiſlature which is *conſtitutional*, without conſidering whether it is juſt."

I own I could not eaſily be induced to ſubmit my reaſon to the *reſtrictions* by which the leaders of oppoſition have *bound themſelves*, nor could any conſideration induce me to defend a ſyſtem of Government which I *believed*

to

to be unjuſt. If the Americans could convince me, they have a right, *on the principles of equity*, to maintain the Independence they have aſſumed, and if they could demonſtrate the *tyranny* of the *Britiſh Conſtitution*, from which the ſupreme authority of Parliament over them is derived, ſo far ſhould I be from profeſſing the leaſt *veneration* for a form of Government which *authoriſes* oppreſſion and injuſtice, that I ſhould not ſcruple to ſay with the Americans, it ought to be aboliſhed.

But, as the conſideration of the important queſtion reſpecting the right of the Americans to Independence, muſt be deferred till the arguments maintained, and the accuſations brought againſt Government by the leaders of oppoſition have been anſwered, I now return to the conſideration of the firſt article.

The various Acts of Parliament above referred to, are inconteſtible proofs, that the Colonies had been taxed by Parliament *prior* to the Revolution, and from that glorious æra till the preſent time, as often as it was thought expedient. It will ſcarce be pretended that theſe various Acts of Parliament were deemed *unconſtitutional* at the time they were paſſed. They were not complained of, even by the *Americans themſelves*; they did not call in queſtion the right of Parliament to tax them;

them ; they did not even eſteem it a *grievance* that the revenues raiſed in America, by internal Parliamentary taxation, though *collected* among them, were *expended* in Britain.

When the cauſe of whigiſm was triumphant by the depreſſion of its inveterate enemies, and by the exaltation of its illuſtrious defenders to the higheſt departments of the ſtate ; and when the preſent Conſtitution was firmly eſtabliſhed, the reſtorer of Engliſh liberty received the Crown as the gift of the people from their *acknowledged*, *conſtitutional* repreſentatives aſſembled in Parliament. This ſolemn and important act of power operated through the wide extent of the Britiſh Empire, and was ratified by the *plain*, though *tacit* aſſent of the whole collective ſociety of Britiſh ſubjects. Their voluntary and ready obedience to a ſovereign *choſen for them by Parliament* was the moſt *convincing* proof they could give of their acknowledgment of its *ſupreme* authority. But the avowed champions of liberty, whoſe inflexible patriotiſm effected the revolution, did not limit the exerciſe of Parliamentary authority over the Colonies to this *ſingle* act ; they exerted it in *the particular inſtance* which has furniſhed a pretext to juſtify the preſent unnatural rebellion ; they were convinced Parliament had as juſt a right to *tax* the Colonies,

as to *elect a King for them*; they proceeded to exercise it without hesitation, and their example has been followed by the illustrious successors to their honours, their employments, and their distinguished zeal for liberty. In times when the Colonies were in a *state of infancy*, when the *expences* they had occasioned the public were *inconsiderable*, their *ability* to pay taxes *very moderate*, and the exigencies of Government were *trifling*, compared to its *present necessities*, Princes, Parliaments, and Ministers, *eminent* for their *steady adherence* to the principles of the Constitution, and to the *cause of liberty*, maintained the *right* and exercised the *power* of taxing the American Colonies. *Whigish* Parliaments *gave and granted* American property, as the virtual representatives of the Colonies, *whigish* Princes received the gift, and *whigish* Ministers applied it, (in particular instances,) to the *exclusive* service of the British Nation. When the Colonies submitted to this severe exertion of Parliamentary power, they were inhabited by men who *fled* from England to *avoid tyranny*, and to *establish liberty* in America; yet it has been observed, that they *implicitly* obeyed these acts of the supreme Legislature, and far from questioning the *right* of Parliament to tax them, they did not even object to the *rigorous* use

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that was made of it, nor allege the *injuſtice* of the demand, their *inability* to comply with it, or the *impropriety* of its *application*, as reaſons to juſtify their refuſal, though they might have urged theſe and many other objections, with a great degree of plauſibility. But the Americans of *thoſe days* had an *unfeigned regard* for the Country from which they derived their origin—they had not then received ſufficient *obligations* from Great Britain to inſpire hatred.

As it is not by any means my deſire to irritate or inflame my countrymen, I ſhall forbear to draw a *parallel* between the conduct of the *preſent* and *former* inhabitants of the Colonies. The examples I have referred to, are ſufficient proofs of the *clear undiſputed conſtitutional* ſupremacy of Parliament over the Colonies; the *right* to tax them is fully eſtabliſhed, and the aſſertion contained in the preſent article, *viz.* "that adminiſtration has "*violated* the Conſtitution by attempting to "inforce the obedience of the Colonies to an "act of the Britiſh Legiſlature" is proved to be *falſe* by the united teſtimony of reaſon and fact.

ART. 2. That Government, in the preſent diſpute with the American Colonies, is proceeding on the principles of toryiſm.

Exactly the *reverſe* of this propoſition is the truth; but in order to prove that it is ſo, it will be neceſſary to take a tranſient view of that period of Engliſh hiſtory, when the adverſe principles of liberty and arbitrary power, contending for the aſcendancy in the ſtate, involved the nation in the horrors of civil war; and generated two powerful and inveterate factions, diſtinguiſhed by the appellations of whig and tory—names at firſt invented as terms of reproachful contempt, and afterwards aſſumed as tokens of honourable diſtinction by the reſpective parties.

A retroſpective ſurvey of the wonderful tranſactions recorded in Engliſh hiſtory, from the beginning of the civil war between Charles the Firſt and the Parliament, to the final eſtabliſhment of the preſent Conſtitution by the abdication of James the Second, and the election of William the Third, will afford matter of entertainment to the mere inquiſitive reader, ſpeculation to the philoſopher, and inſtruction to the ſtateſman, as long as hiſtory perpetuates, or poſterity regards the fame of departed heroes, the memory of former exploits, or the monitory example of public calamities.

England was, during a period of near fifty years, a ſtage on which the moſt illuſtrious perſonages

perſonages appeared, and performed parts equally great and ſurprizing; the ſcenes exhibited were highly intereſting, and deeply engaged the attention by the novelty of their incidents, the rapidity of their ſucceſſion, the variety of their tranſitions, and the dignity and importanee of their events: they all concurred by natural, though unforeſeen conſequences, to produce the glorious revolution, making the triumph and firm eſtabliſhment of Endliſh liberty, the grand cataſtrophe of this wonderful political drama.

Charles the Firſt eagerly imbibed thoſe ſlaviſh opinions reſpecting divine right of Kings, and paſſive obedience of ſubjects, which his father had taken ſo much pains, both by precept and example, to inſtill into his mind; on his acceſſion to the Crown, he found in his court and in his councils, ſtateſmen to adviſe, paraſites to applaud, nobles to ſupport, and prelates to ſanctify, his undeviating perſeverance in tyranny.

The unhappy deluded prince was induced to believe, that arbitrary power was the brighteſt jewel in his Crown, that he received it by inheritance from his anceſtors, who [*miraculouſly*] obtained it from heaven; that it was his duty, as well as his intereſt, to preſerve its luſtre unſullied while he lived, and

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at his deceaſe " piouſly to tranſmit it to his " heirs."

But the additional ſtrength his natural propenſity to deſpotiſm acquired by the evil counſel he received, might have been effectually reſtrained, had he poſſeſſed ſufficient abilities to diſcern the *real* ſtate of his kingdom, or had any of his counſellors been, at his firſt acceſſion to the throne, ſincere and wiſe enough to give him the information he ſtood ſo much in need of, and to convince him that his thirſt of arbitrary power could not poſſibly be gratified, as his ſubjects had acquired ſenſe to diſcern their intereſt, and power to ſupport their rights.

Cauſes which originated from the caprice or injuſtice of Henry the Eighth, (the moſt brutal tyrant that ever diſgraced a throne) began long before the reign of Charles the Firſt to operate in favour of liberty, and in a due courſe of time produced effects diametrically oppoſite to the deſigns which they were calculated to accompliſh, by the ſhort ſighted policy of man.

Examples of this kind, afford the thinking mind a convincing proof of the inſcrutable wiſdom and directing providence of God, who thus turns the craft of men to fooliſhneſs, confounds

founds their devices, and produces good effects from their evil intentions.

Henry undertook the reformation to gratify his unaccountable luſt of matrimonial whoredom, and he availed himſelf of various pretences to abate and reſtrain the arbitrary power of the nobility, that he might exerciſe his own oppreſſive tyranny, uncontrouled by the efforts of inferior deſpots, to maintain a power equally unjuſt and ſevere. Thus the ignominious ſhackles of papal ſuperſtition were broken, and the galling fetters of feudal ſlavery were unlooſed, by the hands of a tyrant, who while he held his ſubjects in the moſt ſervile dependance, was, contrary to his intention, extending the bleſſings of liberty to their poſterity.

It has frequently been remarked that where ignorance and ſuperſtition prevail, ſlavery is their inſeparable companion: on this foundation is eſtabliſhed the alliance between church and ſtate, which is generally little better than an artful combination between prieſtcraft and tyranny.

By the reformation this formidable league was diſſolved, and the cloud of ignorance in which the Romiſh Clergy had involved the nation, began to diſperſe. *Doubt is the liberty of the mind.*—Thoſe who eſtabliſh'd the

ſyſtem

ſyſtem of Papal tyranny precluded the exerciſe of this liberty by making their Pope *infallible*. The reformation was an abſolute contradiction to this doctrine, for there cannot be *two* ſupreme infallible heads of the Church. *Perhaps then there may not be any.* When a man dares to propoſe this doubt, even to his own mind he has broken the bonds of ignorance, and his ſoul begins to *feel* and to *aſſert* her native freedom.

But the deſtruction of the ſpiritual tyranny of Rome, was not the only benefit which accrued to the Engliſh from the Reformation. In civil ſociety wealth being the common meaſure of all the advantages which the labour, ſtrength, or abilities of every individual in a ſtate of nature could appropriate to himſelf, it neceſſarily follows, that it muſt be in all civilized nations, the means of making the collective powers of *many* ſubſervient to the intereſt of *a few*; and as the inequality cauſed by the *partial* diſtribution of wealth tends to eſtabliſh *ſlavery*, the more *general* diſperſion of it as certainly promotes the growth and extenſion of *liberty*.

Reaſoning from theſe premiſes, it will evidently appear, that Henry the Eighth by deſtroying the monaſteries, and ſeizing the property of the nobles undermined, the ſtrong and deep

deep laid foundations of tyranny. It is true he eſtabliſhed civil and religious deſpotiſm during his own reign, which was all he regarded. But though his rapacity fully equalled that of his father, and his power of amaſſing wealth was much more extenſive by the extraordinary means he made uſe of, his prodigality kept pace with his avarice, and his treaſury reſembled a reſervoir which receives the overflowings of mighty rivers, and diſperſes them again through numerous channels.

This profuſe diſtribution of wealth operated but by ſlow degrees in favour of liberty during this and the ſucceeding reigns of Edward, Mary, and Elizabeth; its courſe was obſtructed by the domeſtic troubles, and diverted by the foreign wars, in which the nation was involved from the death of Henry the Eighth, to the acceſſion of James the Firſt. The long and proſperous reign of Elizabeth was diſtinguiſhed by men of ſuperior abilities in the various departments of the ſtate. The Queen was the ſuperior ſtar in the bright conſtellation, and under her auſpicious influence the glory of the Engliſh nation ſhone forth with uncommon ſplendor. Dazzled by the glare of victory and the luſtre which ſurrounded the throne, the people ſcarce felt the *weight* of their bonds, and regarded the tyrant who held

them in ſubjection, with a degree of reverence little ſhort of adoration. The reign of Elizabeth was not leſs arbitrary than that of her father; but though in the exerciſe of power they were equally abſolute, they differed widely in the direction and application of it. Henry was at once a tyrant to his ſubjects, and a ſlave to his paſſions; his government was a mixture of oppreſſion, cruelty, and folly, and he was obeyed with hatred, fear, and contempt.

Elizabeth equally ſupreme in her dominion over her people and herſelf, made every other paſſion ſubſervient to her ambition, and eſtemed it her higheſt honour to diſplay the power and raiſe the glory of the people over whom ſhe reigned. By this politic application of ſupreme authority, ſhe gained the love of her ſubjects, who thought it no diſgrace to render obedience to a ſovereign, whoſe wiſe and vigorous exertions of the power ſhe aſſumed, exalted the national glory to ſo high a degree, that an Engliſhman might look down with contempt on the reſt of mankind.

Very different from her illuſtrious reign was that of her inglorious ſucceſſor; but the mean puſillanimous policy which excited the contempt of a brave and high ſpirited people, was favourable to the introduction of popular liberty.

liberty. The current of wealth no longer impeded by civil diſcord or foreign war, deſcended in a ſlow and ſilent ſtream to the lower regions of the community.

Commerce, the attendant of peace, and parent of civil liberty, began to exert its beneficial influence, and the tide of wealth flowing in from the ocean, uniting with the ſtream deſcending from the court, formed a certain and inexhauſtible reſervoir of riches to the inferior ranks of the community.

From this fertile ſource the people derived a degree of power and importance hitherto unknown. Before the introduction of commerce the King was eſteemed the abſolute proprietor of the Kingdom, and all the poſſeſſors of lands, held them as grants from him, or from his immediate vaſſals. Thus the Kings of England were inveſted with ſupreme authority, by the antient Conſtitution of the Government, and by the common law of the land.—They were the fountains of honour, property, and power. It is true there was a Houſe of Commons, but it was of little eſtimation or importance, till its conſtituents derived *wealth* and *power* from commerce. Far from pretending to a ſhare in the ſovereignty, it was regarded by the Monarch only as an aſſembly which he might convene, or

diſmiſs at pleaſure, as *aſſeſſors* of thoſe exactions he choſe to demand, and as a national council which he was at liberty to conſult, or not, as he thought proper.

Theſe were the opinions which univerſally prevailed reſpecting Government in England, when the Crown devolved to Charles the Firſt; and the epiſcopal clergy by adding to them the abſurd doctrines of *paſſive obedience* and divine hereditary right, completed that ſyſtem of folly and tyranny which is now diſtinguiſhed by the appellation of *toryiſm*.

To this *political faith* the unhappy Charles was truly a *martyr*. "No Biſhop, no King," was a celebrated *Proverb* of his father the *Solomon* of England, and the ſon carefully preſerved it in his memory. He was ſenſible of the obligations conferred upon him by the hierarchy, and ſince they had *ſanctified* his regal tyranny, he thought it equally his duty and his intereſt to ſupport their ſpiritual oppreſſion.

But the people, no longer the dupes of papal ſuperſtition, or the ſlaves of feudal power, were excited by the deſire of freedom and the zeal of enthuſiaſm, to revenge the injuries they had borne ſo long, by the total deſtruction of monarchy and epiſcopacy.

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The ſtrong and active principle of liberty, began to unfold itſelf ſoon after the acceſſion of Charles the Firſt, and the ill-fated Monarch vainly imagined the antient engines of oppreſſion would operate with their wonted efficacy, and reſtrain the riſing power; but the ſtern elaſtic force which perhaps might have been weakened by timely relaxation, collected vigour by compreſſion, and oppoſing aggravated violence with increaſing powers of reſiſtance, it at length deſtroyed the overſtrained machine of tyranny, and the unhappy Monarch experienced in his ruin, the dreadful fury of its impetuous recoil.

Exhauſted and relaxed by this extraordinary effort; liberty ſcarcely ſurvived its dear bought victory, and incapable of further exertion or reſiſtance was ſubdued by an enemy, more dangerous than that it had deſtroy'd.

The cruel and unjuſt murder of Charles on the ſcaffold, was not productive of any immediate advantage to the cauſe of freedom. The unfortunate King fully expiated his guilt by his death, and his blood has fixed an indelible ſtain on the honour and juſtice of the Engliſh Nation. But though the *tyrant* fell, tyranny ſurvived. It preſided at his tryal,

pronounced

pronounced his ſentence, commanded his execution, and triumphed in his death.

Antient and modern hiſtory afford numerous inſtances of Kings who have been the ſport of fortune, and experienced the ſudden and extreme viciſſitudes of greatneſs and miſery.—Cæſar, whom the immortal Shakeſpeare (with an energy and propriety of language peculiar to himſelf) ſtiles "the foremoſt man of all the world," fell even from the ſeat of Empire, by open and daring violence. Of his ſucceſſors many were ſacrificed to the fury or avarice of the Prætorian guard, and ſome were deſtroyed by the ſucceſsful treachery of the dark, undermining, private murderer. The helliſh arts of aſſaſſination, in all its various and horrid forms, have been repeatedly employed in the deſtruction of Princes, and ingenuity has been put to the utmoſt ſtretch to aggravate and diverſify their miſery.

Our own annals furniſh a melancholy inſtance of refined cruelty in the murder of Edward the Second.

The various examples of regicide, recorded in hiſtory, make only ſlight impreſſions on the mind, and ſcarcely excite wonder or compaſſion, as we are informed, that a violent death is preceded a weak oppreſſive reign, and the murderers of tyrants, however execrable

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in themſelves, may be conſidered as inſtruments employed by providence to execute its juſt decrees, and inflict on wicked Princes a puniſhment equal to their crimes.

But no age or nation ever produced ſo extraordinary and remarkable a regicide as that of Charles the Firſt.

There is not perhaps in the world a throne unpolluted with royal blood; but it was reſerved for the peculiar genius of the Engliſh Nation, to render villainy illuſtrious, by dignifying the murder of their King with the title of public juſtice,—to perpetrate it with the legal formality of a tryal—to place a band of aſſaſſins in the ſeat of judgment—to drag the royal victim like a felon to the bar of their iniquitous tribunal, and as the grand concluſion of this ſolemn mockery to add the inſults of ignominy to the horrors of death, by obliging the unhappy Monarch to terminate his wretched exiſtence on a public ſcaffold.

The deſtruction of Charles, which had long been premeditated, was the prelude to the exaltation of Cromwell, whoſe daring ſpirit and military government reſtrained the violence of faction, and made the zeal of enthuſiaſm ſubſervient to his deſigns. He eſtabliſhed by policy

policy that tyranny he had acquired by force; wiſely accommodating himſelf to the prevailing ſpirit of the times, he concealed his inordinate luſt of power, under the ſpecious diſguiſe of moderation and ſanctity. By his prudent refuſal of the Crown, he ſecured the ſovereignty. His profound hypocriſy enſured him the ſupport of that faction which firſt raiſed him to greatneſs, and his judicious toleration of the various ſects into which the kingdom was divided, prevented the Independants from gaining too great an aſcendancy, and at the ſame time gratified the fervent zeal of the people for maintaining their religious opinions.

Content with the indulgence of their ruling paſſion, they did not wiſh to deprive Cromwell of the power he had uſurped, but eſteeming the religious liberty they enjoyed, almoſt a ſufficient compenſation for the civil tyranny they endured, they thought it more eligible to ſupport the government of a man whoſe ſuperior genius kept all parties in due ſubjection, than to hazard greater evils by attempting its deſtruction. For if they had *failed* in the execution of ſo deſperate a project, they were ſufficiently acquainted with the character of Cromwell to dread the conſequences of their fruitleſs reſiſtance, and if they

they had *ſucceeded*, they had nothing in proſpect but a gloomy variety of diſtreſs. Had the uſurper been depoſed, the nation would have been torn by the diſtracting convulſions of anarchy, or ſubjected to the deſpotic ſway of a faction whoſe enthuſiaſtic intolerant principles would have added the horrors of perſecution to the oppreſſion of tyranny.

The government of the Protector was certainly to be preferred to this dreadful alternative; for it is infinitely better to be ſubject to the dominion of one deſpotic ruler of experienced abilities, than to be enſlaved by a number of tyrants, who under the ſpecious pretence of aſſerting the cauſe of liberty, might advance themſelves to ſupreme authority by fraud and violence, and aſſume abſolute power to oppreſs, though they might be deſtitute of underſtanding to govern.

Cromwell was by nature formed for empire; he was endued with moderation to reſtrain, reſolution to ſupport, and wiſdom to direct the abſolute authority he had aſſumed; his warmeſt advocates cannot vindicate the methods he made uſe of to acquire it, nor can his moſt inveterate enemies condemn his conduct in the adminiſtration of the government he had ſo unjuſtly obtained.

In his character and conduct he greatly reſembled his illuſtrious predeceſſor Elizabeth. Alike crafty, reſolute and tenacious of ſupreme power, which they eſteemed an incommunicable attribute of ſovereignty, they would not impart the leaſt portion of it to Miniſters or Favorites, nor ſuffer their government to become burdenſome or ridiculous to the people, by the extortion or caprice of any inſolent vicegerent of Tyranny. Equally anxious to promote the intereſt and exalt the glory of the Engliſh nation, they were alike reſpected by their ſubjects, and dreaded by their enemies. Their government though abſolute, was ſeldom oppreſſive, never contemptible, but always conducive to the honour and advantage of their country; and however unjuſt in its conſtitution, it was certainly wiſe and glorious in its adminiſtration.

That I may haſten to conclude this digreſſion, which though neceſſary to the illuſtration of the preſent argument, has I fear treſpaſſed too far on the patience of the reader, I ſhall paſs by that period of hiſtory which intervenes between the death of Oliver Cromwell, and the glorious Revolution; obſerving only that the cauſe of Whigiſm was gradually gaining ſtrength during the whole of this interval, eſpecially from the latter part of the reign of Charles

Charles the Second, to the abdication of James the Second, by which event its triumph became compleat.

Every real advocate for the cauſe of liberty, and for the Britiſh Conſtitution, will readily admit that the revolution which placed William the Third on the throne, was founded on the extenſive plan of general liberty; that it was ſolely intended to enlarge the privileges of the ſubject, and abridge the arbitrary power which the antient Conſtitution veſted in the crown; that the limits of ſovereignty and ſubjection, and the ſeparate powers of the different branches of the ſupreme legiſlature, were then and not till then clearly and accurately defined, and that the important and ſolemn act which produced theſe ſalutary effects was then conſidered to be the *joint* act of the collective body of people, which at that time compoſed the Britiſh empire, who exerted that juſt and natural right which every diſtinct and independent ſociety undoubtedly poſſeſſes, to conſtitute a form of government for itſelf.

If theſe propoſitions are allowed to be true, (and I imagine no friend to Whigiſm will deny that they are ſo) it will follow that *every individual* is by the Britiſh Conſtitution obliged to obey the authority of thoſe delegates, which were appointed by the *collective body* of the

people, ſo long as they do not exceed the bounds preſcribed by that original conſtitution. Therefore the ſeparate powers of the King, Lords and Commons, and the joint power of them all in Parliament aſſembled, *which is the ſupreme conſtitutional legiſlative authority of the whole Britiſh Empire*,* ought to act with the ſame force, and extend to the ſame limits now, as were originally aſſigned them, and every attempt of any part of the Britiſh ſubjects to alter the form of government, and to erect themſelves into a ſeparate independent ſociety, is a manifeſt violation of the Conſtitution, or of that *ſocial compact* by which they had agreed to be bound, and is not only a rebellion againſt Government, but an unjuſt attack on the rights and privileges of the collective body of Britiſh ſubjects.

The objections which might be made to the above arguments by the advocates for American Independence ſhall be hereafter diſtinctly conſidered, but firſt it is neceſſary to refute the charge contained in the article under preſent conſideration " that Adminiſtration is acting on the principles of Toryiſm."

I thought

*Whenever this expreſſion occurs, Ireland is excepted, becauſe it has a ſeparate Legiſlature, and its inhabitants are not repreſented in the Britiſh Parliament for that reaſon.

I thought myſelf obliged by the nature of the ſubject to take a tranſient retroſpect of the cauſes and events, which by a ſlow, though certain operation, totally ſubverted the antient and formidable ſyſtem of tyranny founded on theſe abſurd and ſlaviſh principles, and eſtabliſhed in its ſtead our excellent Conſtitution on the firm and ſolid baſis of reaſon, juſtice and liberty, or to comprehend all in one word, on the principles of *moderate Whigiſm*. To this Conſtitution the preſent Government has ſtrictly and invariably adhered, ever ſince the commencement of the American Rebellion, which its leaders at firſt pretended to juſtify on the abſurd principles of Toryiſm, though they now vindicate it on the unjuſt and indefenſible plea of abſolute independence.

The truth of theſe aſſertions will be clearly proved by comparing the leading principles of Whigiſm and Toryiſm, and candidly examining the conduct of Government, and the Americans, by this impartial and equitable ſtandard. It will at the ſame time pretty accurately diſtinguiſh the difference between the Conſtitution of the Britiſh Government, antecedent to the Revolution, and that which was ſecured to us by this glorious and happy event.

Princi-

Principles of Toryiſm.

1. All power is veſted in the King, who holds it by divine right, and is accountable to God alone for the uſe he makes of it.

2. Paſſive obedience and non-reſiſtance is at all times and on all occaſions the duty of ſubjects to their King.

3. The King is the ſupreme abſolute Governor of the kingdom, and the two Houſes of Parliament have no ſhare in the ſovereignty.

Principles of Whigiſm.

1. All power is derived from the people. All Government is a truſt delegated by them for their own benefit.

2. The delegation of ſupreme power is the joint act of the Community. It is *for that reaſon* the indiſpenſable duty of *every individual* to obey the ſupreme legiſlative authority of Government while it exiſts; but if it exceeds the bounds preſcribed by the Conſtitution, or if it ſhould be the *unanimous opinion* of the people that it has abuſed the truſt repoſed in it, and ought to be diſſolved and a new form of government appointed, the ſame power which created may deſtroy it.

3. The King, Lords and Commons in Parliament aſſembled, is the ſupreme power of the ſtate.

4. The King has a diſpenſing power, and may by his own authority ſuſpend the operation of any Act of Parliament, and by his *Charters* emancipate *any part* of his ſubjects from the *authority* of Parliament.

4. The Houſe of Commons is the virtual Repreſentative of all the Commons* of the Britiſh Empire.

5. The Conſtitution does not admit a diſpenſing power in the crown, nor can the King by his Charters, or by any other act of power releaſe any part of the community from their ſubjection to the ſupreme authority of the ſtate.

Theſe are, if I do not greatly miſtake, the diſtinguiſhing characteriſtics of the oppoſite ſyſtems of *Whigiſm* and *Toryiſm*. It is needleſs on the preſent occaſion to mention the numerous and contradictory opinions, which theſe few leading principles have given riſe to. To determine the preſent queſtion, it is only neceſſary to give an impartial ſtate of the different conduct of the Engliſh Government, and the American Rebels.

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* Ireland excepted.

In the commencement of the preſent diſpute, the Americans in oppoſition to Government, refuſed obedience to an act of the Britiſh Legiſlature, i. e. of the King, Lords and Commons in Parliament aſſembled. The reaſons they alledged for this refuſal were, that they were *not repreſented* in the Britiſh Parliament, and that, though by virtue of their *Charters*, they acknowledged themſelves ſubject to the *King*, and that their provinces were *part* of *his dominions*, they by no means admitted, that acts of the Britiſh Legiſlature could be obligatory on the loyal ſubjects of the King of Great Britain, reſiding in his American dominions.

This was maintaining the eſſential opinions of the *higheſt Toryiſm*, for the undeviating and obſtinate adherence to which the firſt of the Stuarts loſt his head, and the laſt his crown. It was aſſerting, in direct violation of the fundamental principles of the Conſtitution, that the King of Great Britain had ſubjects which were *independent of Parliament*; that he could by a Charter *releaſe any part* (and conſequently the *whole* collective body) of his ſubjects from the authority of Parliament, and inveſt a provincial council and aſſembly, with thoſe legiſlative powers which are, by the Conſtitution, *inſeparably* annexed to the Houſe of Lords and Houſe of Commons, and that the dominions

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appertaining to the Britiſh Crown, are the private property of the individual King on the Throne, which he may diſpoſe of as he pleaſes.

Theſe are the principles from which the preſent rebellion derived its origin; and had our amiable Sovereign been ambitious of obtaining arbitrary power, or had he not manifeſted his real and diſintereſted patriotiſm, and wiſely preferred the glory of preſerving the liberties of his people, to the faſcinating temptation of abſolute dominion, he would have accepted with eagerneſs the deſpotic ſovereignty offered him by the Americans. Under the dominion of a crafty and powerful monarch, they would ſoon have ſeen their boaſted palladium of liberty undermined by fraud and corruption, or overthrown by violence, and the tyrant who trampled on their privileges, and laughed at their complaints, might have told them with a contemptuous ſneer, that he was acting on the principles of *their* Conſtitution; for as they had aſſerted that he could by an act of ſovereign authority transfer the legiſlative juriſdiction of a Britiſh Parliament to a Provincial Aſſembly, they muſt conſequently admit that he could with equal juſtice, and with greater facility, deſtroy the work of his own creation, and ſubſtitute in its ſtead any other form of

Government he might think better calculated to promote his deſigns.

The ſubjects who can produce no better title to liberty than a royal charter, hold it by a very precarious tenure. A charter itſelf however beneficial to thoſe who receive it, is an undeniable evidence of *abſolute power* in the grantor. Every extenſion of freedom is eſteemed by the ſovereign an act of indulgence, which he has a right to withhold, and his ſubjects muſt receive as favours, thoſe privileges, which, from a government conſtituted on the true principles of liberty, they may legally and juſtly demand. Beſides any charter obtained from an abſolute ſovereign, may be reſumed at the pleaſure of the grantor. The leaſt error or omiſſion on the part of the grantees would make this reſumption *ſtrictly legal.* Perhaps there is ſcarcely a Colony in America, that has not by ſome act of omiſſion or commiſſion forfeited its original charter. But ſuppoſing it to be otherwiſe, have not the Coloniſts themſelves inveſted the Sovereign with abſolute power, which is *above all laws?* Have they not repeatedly declared, that a royal charter can deſtroy the Britiſh Conſtitution, and deprive the two Houſes of Parliament of that ſhare in the ſovereignty, which was delegated to them by the joint act of the collective

collective body of people which compoſe the Britiſh Empire.

In reflecting upon the different meaſures purſued by the King, and the refractory Americans, every unprejudiced perſon muſt diſcover ſufficient reaſon to applaud the wiſe and patriotic conduct of the former, and to condemn the abſurd and inconſiſtent proceedings of the latter. The King, true to the intereſt of his ſubjects, aſſerts the conſtitutional authority of Parliament, and refuſes the abſolute ſovereignty offered him by the leaders in the American revolt, and they in return for this generous inſtance of moderation, declare him to be a * "tyrant," and an *oppreſſor* unworthy to reign over them, break out into open rebellion, and though they at firſt offered unconditional ſubmiſſion to royal authority, they now contend for Independence.

But this abſurdity is eclipſed by one of ſuperior magnitude, for though it is ſcarcely credible, it is nevertheleſs indubitably certain, that notwithſtanding the Americans began their oppoſition to Government on principles deſtructive to liberty, and ſubverſive of the Conſtitution, and have, by their late Declaration of Independence, committed a flagrant act of injuſtice againſt every individual ſubject of the

* See Declaration of the Congreſs.

Britiſh Empire, and made it equally the *duty* and the *intereſt* of the Government and the *people* of this country to unite in ſubduing them, there may be found in England, men of reſpectable characters and diſtinguiſhed abilities, who warmly eſpouſe the cauſe of American rebellion, and gravely affirm that Government is contending for arbitrary power, and wantonly deſtroying its ſubjects in a war which is unjuſt in itſelf, and deſtructive to the true intereſt and liberty of Great Britain.

ART. 3d. That the Colonies were provoked by Government firſt to revolt, and afterwards to aſſert their abſolute Independence.

This article, which in appearance urges *two* diſtinct accuſations againſt Government, contains in reality but *one*; for the claim to Independence was advanced previous to the commencement of hoſtilities, and inſtead of being the *conſequence*, was itſelf the *immediate cauſe* of the war. What were their repeated refuſals to obey acts of the ſupreme legiſlative power, and their inſolent and contemptuous declarations that the Parliament had *no right* to make laws for them, but ſo many diſtinct, explicit, avowals of Independence? Is there any authority in Great Britain to which they can *conſtitutionally* be ſubject, except that of the King, Lords, and Commons in Parliament aſſembled?

aſſembled? If there is ſuch a power, the advocates for the American rebellion, the patriotic chiefs of the minority, who boaſt they are the defenders of the Conſtitution, are called upon to declare who is inveſted with it? Will they ſay that the King, by his charter, can *totally ſubvert* the Conſtitution they profeſs to defend? That the Colonies may be *independent* of the Parliament and *dependent* on the Crown? This is ſuch manifeſt toryiſm, they dare not admit it. But if they deny this, they muſt allow that the Colonies by rejecting the authority of Parliament, declared themſelves intirely *Independent* of the Britiſh Government.

It is true the revolted Americans at firſt pretended to be very *zealous* in their profeſſions of attachment to the King; but as faction acquired ſtrength, and grew up to rebellion, the maſk of loyalty was thrown aſide, and the manifeſto of the Congreſs openly avowed thoſe principles of Independence, which they had *always* privately *maintained*, and from which *alone* the preſent ungrateful rebellion undoubtedly aroſe.

It muſt be acknowledged, there was much policy in their inſidious offers of ſubmiſſion to the King, at the very time they treated the *ſupreme Conſtitutional Legiſlature*, and its

Acts

Acts with the higheſt degree of contempt; when they accounted ſubmiſſion to legal Government the greateſt of crimes; when even neutrality was deemed an offence, and the rational and moderate, who refuſed to join in their iniquitous league, were perſecuted, and tormented into a conſtrained aſſent to meaſures they could neither approve nor reſiſt, by theſe pretended champions of liberty.—They *knew* their proffered allegiance would not be accepted, becauſe they were convinced his Majeſty was too wiſe and too juſt, to *violate* the Conſtitution, and *betray* the rights of his Britiſh ſubjects. The reſolute and patriotic conduct of the King, furniſhed the rebels with a pretext to excuſe their revolt, which they did not ſcruple to avail themſelves of, though they knew it to be totally inconſiſtent with truth and reaſon. Thoſe who engage in an unjuſt cauſe, are ſeldom very delicate as to the means they employ to promote its ſucceſs. It is not therefore to be wondered at, that the leaders of rebellion in America, ſhould perſwade their deluded adherents, that his Majeſty's reſolution to ſupport the ſupremacy of Parliament, and the rights of the Britiſh Nation, was a wicked attempt to *enſlave* them.

" The

" The King (they ſaid) had joined in an op-
" preſſive confederacy with the Parliament,
" he had ſlighted their *proffered ſubmiſſion*, he
" had rejected their *humble petitions* for re-
" dreſs of their *intolerable grievances*, and by
" an undeviating perſeverance in *tyranny*, he
" had *provoked* them to *reſiſt*, and forced them
" to *take up arms* in their own defence; but
" notwithſtanding they had met with ſuch
" evil treatment they were *ſtill loyal ſubjects*
" to the *King* and *affectionate brethren* to the
" *people* of Great Britain, though they *abſo-*
" *lutely denied* the legiſlative authority of Par-
" liament."

This was the language of the leaders of rebellion previous to the actual commencement of hoſtilities, and their adherents in England, true to the principles of the common cauſe, *affected* to be convinced by arguments inconſiſtent with reaſon, and to believe profeſſions of loyalty and affection, of which the whole conduct of the Americans was a *direct* and *evident* contradiction.

This *pretended* conviction is the conſtant plea to juſtify rebellion in America, and oppoſition in England. From this ſource proceed the various accuſations againſt Government, and in particular the article under preſent conſideration, which aſſerts " that Adminiſtration

" miniſtration *firſt* provoked the Americans " to revolt, and *afterwards* to declare them- " ſelves Independent."

It has been already obſerved that the Americans by denying themſelves to be ſubject to the *ſupreme legiſlative authority* of Parliament, actually declared their *Independence* of the Britiſh Government, ſince there is no other power in Britain to which they could *Conſtitutionally* be ſubject. As the claim to Independence *preceded* the revolt of the rebellious Colonies, and the ſupport of it was the *real* object of the war, it is a manifeſt contradiction to common ſenſe as well as to truth to aſſert " that they were *firſt* provoked to *revolt*, " and *afterwards* to declare themſelves Inde- " pendent." The only queſtion is whether the *rebellion*, which is *itſelf* a declaration of Independence, was *provoked* or *premeditated?*

The immediate occaſion of the diſpute is well known. Adminiſtration conceived it to be juſt and reaſonable that the Colonies, in whoſe defence Great Britain had engaged in the late war, and added more than £70,000,000 to the national debt, ſhould contribute *in ſome degree* to the ſupport of the public burden. I ſay, *in ſome degree*, though the demand was ſo *trifling*, that it bore no kind of proportion, to that which the exigencies of Government required,

quired, which the Britiſh nation had a *juſt right* to expect, and the Colonies might with the *greateſt facility* have contributed. They were not aſked to pay an *adequate* proportion of the *intereſt* of a debt contracted in their defence, though the faith of Parliament and the property of Britain are the *pledges* for the *principal*. They were not called upon to re-imburſe *any part* of the enormous ſum of £34,697,142, 10*s*. 10*d*. expended on them, during the laſt 60 years.* They were only required to defray a *part* of the expences of *their* annual civil and military eſtabliſhments. To effect this purpoſe a *very moderate tax* was laid on an article by no means *neceſſary* for ſubſiſtence. Againſt this particular tax, there was not even a plauſible objection; the Americans themſelves never pretended the demands *exceeded* their *proportion* or their *ability* to ſupply; the mode of collection they could allege no juſt reaſon to diſapprove; and the petuliar purpoſe for which the produce of the tax was to be expended, afforded them the moſt convincing proof of the moderation, juſtice, and *lenity* of Government. Yet this was the unexampled oppreſſion, the intolerable grievance which *obliged* them to declare themſelves independent, and provoked them to revolt.

* See the calculation proved by authentic vouchers in "The Rights of Great Britain aſſerted."

They did not object to the *particular tax*, but the *authority* by which it was raiſed. They were ready to give the King as much as their Provincial aſſemblies thought proper, but they would not admit of Parliamentary taxation; they had Parliaments of their own, and they would not acknowledge any ſubjection to a Britiſh Parliament in which they were not repreſented. In vain did the advocates for the rights of Britain demonſtrate, that the ſupreme authority of Parliament was, by the Conſtitution, extended to the extreme limits of the Britiſh empire; that former Parliaments had exerciſed the power of taxation in a much higher degree, and applied the produce of the taxes to purpoſes in which the Colonies had no intereſt. The moſt convincing arguments are ineffectual when oppoſed to inveterate prejudice. They could not pretend that the exerciſe of the power of Parliamentary taxation was unprecedented, or that it was in the preſent inſtance unjuſt or ſevere. They could not offer a ſingle objection to the tax or the conſtitutional authority by which it was raiſed, that was not repugnant to reaſon, truth and juſtice. But when the appeal is made to the ſword, reaſon, truth, and juſtice are little regarded. The bold deciſive maxims which determine

their

the conduct of the Americans are, "that force "is the ſupreme arbiter of right and wrong;" "that ſubjection is inconſiſtent with liberty," and "that ability to *reſiſt*, cancels the ſtrong-"eſt obligations to *obey*." Theſe principles are admirably well adapted to increaſe the adherents, and promote the deſigns of the wicked and artful leaders of rebellion, for while the people are flattered and deceived by the pleaſing dream of liberty and independence, they are wilfully accelerating their deſtruction. To avoid imaginary grievances, they endure real oppreſſions, and through impatience of legal ſubjection, they voluntarily ſubmit to the galling and humiliating yoke of a tyranny *their-ſelves* have eſtabliſhed.

So far is it from being true, that the Americans were *provoked* to revolt, that their whole conduct, from the deſtruction of the tea to the maſſacre of the wounded ſoldiers at Lexington, where the rebels deliberately began the horrid work of ſlaughter and deſolation, betrayed a premeditated intention to aboliſh all legal Government, and ſupport that abſurd and motley ſyſtem of tyranny and licentiouſneſs, which the Congreſs have dignified with the flattering title of Independence. The crafty inſtigators of rebellion, knew it was by no means for their

intereſt to appear the aggreſſors in this unnatural war. Though prepared and eager to engage, they ſeemed reluctant to begin the attack, and uſed their utmoſt endeavours to provoke and irritate Government to command the firſt ſword to be drawn. To produce this effect, every act of inſolence and barbarity which the fury of an enflamed populace could commit, or the cruel malevolent policy of their leaders could invent, was practiſed by the former, and juſtified by the latter. Not content with reſiſting all lawful authority, aboliſhing all civil regulations, expelling the magiſtrates, ſhutting up the courts of juſtice, and wantonly deſtroying the property of Britiſh ſubjects, whom they affect to call brethren, and againſt whom they could not have the ſlighteſt ground of complaint, they proceeded in a precipitate courſe of violence, from the higheſt injuſtice to the moſt unrelenting barbarity. The comprehenſive vengeance of theſe aſſertors of American liberty, extended to all who could be ſuppoſed to have the remoteſt connection with Britiſh ſlavery. It deſcended in a regular gradation, from the capital offenders to the inferior criminals; from officers of the revenue and ſervants of government, to thoſe who dared to ſpeak openly in vindication of the conſtitutional ſupremacy

premacy of Parliament, to all who were ſuſpected of maintaining opinions favourable to the Britiſh cauſe, (for under the free government of the Congreſs, ſuſpicion is a ſufficient *proof* of *guilt*) to ſuch as indicated a propenſity to moderation, and in fine to all who did not *publicly* manifeſt their zeal for *Liberty*, by an active concurrence in their violent proceedings.

* It can hardly be ſuppoſed the "ſervile miniſters" of American vengeance, who in their haſte to execute its arbitrary mandates, totally diſregarded the rank, age, or condition of the offenders, ſhould be more attentive to the various degrees of criminality by which they were diſtinguiſhed. Nor was there the leaſt occaſion to adjuſt the *proportion* between crimes and puniſhments, for according to the principles of juſtice eſtabliſhed by theſe new Legiſlators, all were *equally* guilty, ſince the power they had offended was *the ſame*; they therefore *wiſely* and *righteouſly* referred the *degree* of puniſhment to the *diſcretion*, and the *particular mode* of it to the *invention* of theſe ready and ingenious executioners the mob! *

Such

* See many particular inſtances of horrid cruelty exerciſed on innocent perſons in the "Anſwer to the Declaration of the Congreſs." P. 98 to 102.

Such were the *hapyy* preludes to the *bright dawn* of liberty and independence in America! But while the *oppreſſed*, or, as a noble Orator in the fervent zeal of patriotic eloquence emphatically called them, "honeſt rebels," were thus copiouſly diſpenſing the *bleſſings* of freedom, the wicked adherents of the tyrannical Britiſh Government, purſued a conduct diametrically oppoſite, and ſuch as might naturally be expected to reſult from the *cauſe*, and the *principles* to which they were attached. Though armed with ſufficient force to revenge the daily inſults and unexampled perſecutions of their implacable enemies, they did not attempt to retaliate, but endured repeated affronts and aggravated injuries, with heroic calmneſs and inflexible reſolution. This prudent and manly conduct, inflamed the reſentment of the populace and diſconcerted the ſchemes of their leaders. They were now convinced that their inſidious profeſſions of loyalty could not induce the King to abandon the Parliament and betray the rights of his Britiſh ſubjects, and they had the additional mortification to ſee, that the various outrages they had committed, could not provoke the Britiſh army to commence hoſtilities. They were therefore reduced to the diſagreeable alternative of renouncing their unjuſt

juſt pretenſions to independence, or of unſheathing the ſword to ſupport them. They were ſoon determined in their choice, and made every neceſſary preparation for war. Magazines of military ſtores were formed, and bodies of armed men aſſembled, to reſiſt the conſtitutional authority of Government, to protect the authors of unprovoked outrage and cruelty, to deſtroy the property and endanger the lives of innocent men, whoſe only crime was refuſing to join in their ungrateful rebellion.

It was impoſſible for the Rebels to give more poſitive and evident proofs of their hoſtile intentions; and the Britiſh General found himſelf under an abſolute neceſſity of demanding, that the warlike ſtores they had collected ſhould be delivered up, and the forces they had aſſembled ſhould be diſbanded. He foreſaw the fatal conſequences which this juſt demand might occaſion; and he manifeſted the greateſt moderation, and the moſt anxious deſire to avoid, if poſſible, the effuſion of blood. Far from wiſhing to execute vengeance on the inſurgents, he only endeavoured to counteract their malevolent deſigns, by depriving them of the inſtruments of deſtruction. He therefore ſent only a ſmall detachment, with orders to ſeize or deſtroy

ſtroy the military ſtores, but by no means to attack the rebels unleſs they were reſiſted or moleſted in the execution of their duty.

The effects of this lenity and prudence, were directly contrary to what might reaſonably have been expected. The rebels, after permitting the Britiſh ſoldiery to deſtroy their military ſtores, without making any reſiſtance, fired upon them in their return to Boſton, from houſes and other places of concealment, and *began* this deſtructive and unnatural conteſt with circumſtances of the baſeſt cowardice and moſt wanton barbarity.

A bare relation of the execrable cruelties inflicted by the Americans on thoſe unhappy wretches who were by their wounds rendered incapable of reſiſting or eſcaping their fury, is ſufficiently ſhocking to any reader of common humanity. How great and inexpreſſible muſt be the horror and indignation of thoſe Britons who beheld the bloody ſcene! It is not my deſire or intention to excite even the *juſt* reſentment of my countrymen, by enumerating or deſcribing the horrid diverſity of torments which the hapleſs victims of American fury endured. But the tender hearted Patriots, who ſo eloquently proclaim their ſentiments of humanity, and their deteſtation of the cruelties they *conceive*

ceive to have been perpetrated by the *Savages* in the ſervice of Government, ought to remember that their moſt exaggerated pictures of barbarity, were *realized* and *exceeded* by the horrid *refinements* on Indian cruelty *ingeniouſly invented*, and *deliberately practiſed* by the "honeſt rebels," on the *wounded* Britons at Lexington.

Whoever attentively and impartially conſiders the undeviating courſe of violence and injuſtice purſued by the rebels, in their rapid progreſs from ſedition to indepenendce, muſt be convinced, that the rebellion was not *provoked* by Government but *premeditated* by them.

The exerciſe of Parliamentary power in the particular inſtance of the tax which became the immediate object of contention, was neither unprecedented or unjuſt, nor could the Americans themſelves pretend to ſay it was. They

 had

* By this term of reproach the leaders of oppoſition diſtinguiſh the Indians engaged on the ſide of Government. But as theſe *candid* Patriots obſerve a profound and *prudent* ſilence, reſpecting thoſe Indians *whom the Congreſs firſt engaged in this war*, and who accompanied their army in the humane and glorious expedition to Canada, it cannot be determined by what appellation *they* would be mentioned in a patriotic oration. Perhaps theſe *Indians* might be of a *different* race from thoſe *Savages* afterwards engaged by the wicked Miniſtry, or poſſibly their alliance with the *juſt* and humane Congreſs might *diveſt* them of their *ſavage* ferocity.

had no greater objection to this particular tax than to any other. But they asserted that Parliament had no right to tax them, or to "intermeddle" (as they express it) in their Government; they had legislatures of their own, and the *two Houses of Parliament* were "bodies of "men foreign to their Constitution," their acts were not obligatory on them, they were acts of "pretended Legislation." Is it possible to *declare Independence* in plainer or stronger terms? It is absurd to pretend this *declaration* was extorted from them by the oppressions they *had* endured; for the various Acts of Parliament which have been passed *since* the commencement of the rebellion, were not the *causes*, but the *necessary effects* of that unjust and violent proceeding. Yet these are the *grievances* complained of in the Declaration of the American Congress, and published to convince the world that they were *compelled* to assert their Independence. This celebrated performance has not even the merit of being *consistent* in falshood; for the thirteenth Article expressly declares, that the constitutional authority of Parliament *was then, and always had been* an usurped power, and that subjection to it *was then, and always had been, a grievance.* The Congress shall speak for itself. Article XIII.

"He

" He (i. e. the King) has combined with " others to ſubject us to a juriſdiction foreign " to our *Conſtitution*, and unacknowledged by " our laws, giving his aſſent to their *pretended* " Acts of Legiſlation." The enemies of the Congreſs muſt acknowledge that this article is a proof of their ſincerity. It ſpeaks their genuine ſentiments without diſguiſe, and inconteſtibly proves, that whatever may be the *pretended* motives of the rebellion, Independence was, from its original commencement, the *real premeditated* deſign it was intended to accompliſh, and ſubjection to the conſtitutional authority of Parliament, the intolerable grievance which they could no longer ſupport.

The Congreſs, in the article above recited, expreſsly declare, and their whole conduct from the beginning of the conteſt to the preſent moment evidently prove, that nothing ſhort of abſolute Independence would content them.

Even their pretended acts of humility, their dutiful ſupplications to the throne were manifeſt violations of the Conſtitution, and groſs inſults on the Sovereign. What did they contain but *hypocritical* profeſſions of loyalty, contemptuous negations of Parliamentary authority, and arrogant demands of redreſs from the *grievance* of ſubjection?

How ill does the conduct of the revolted Americans agree with their profeſſions! their loyalty is demonſtrated by acts of rebellion, and their affection to the Britiſh nation is illuſtrated by the illegal ſeizure of Britiſh property, and by deeds of wanton cruelty to Britons, which fix an indelible ſtain on their characters as *men* and in point of humanity degrade them infinitely below the illiterate, uncivilized Indians!

In their ſyſtem of Government the ſame inconſiſtency prevails. *In principle* they pretend to be the moſt zealous champions of freedom; in practiſe they are the ſevereſt of tyrants. "*The rights of life, liberty, and the purſuit of "happineſs, they hold to be unalienable;" yet they have, in various inſtances, *violated theſe unalienable rights* without even a pretence to urge in excuſe for their unjuſt and deſpotic conduct. They aſſert that "all men are created equal," yet they ſhamefully make a property of their fellow creatures, whom they purchaſe for gold, condemn to the moſt ſervile and laborious employments, and render completely miſerable by inflicting on them the moſt unjuſt and ſevere torments that ingenious cruelty can invent, or unrelenting tyranny can practiſe. I do

* See Preamble to the Declaration of the Congreſs.

do not ſay this is the univerſal lot of the miſerable *ſlaves* who are purchaſed by the champions of freedom. Humanity induces me to hope there may be many exceptions; yet allowing the horrors of ſlavery may be brightened by a tranſient gleam of indulgence, is not the condition of a Negro truly deplorable? Condemned to conſtant drudgery for the emolument of a fellow creature "by nature his equal," frequently receiving the ſtripes of oppreſſion, in recompence for the hardſhip of ſevere toil, and *at beſt* ſubjected to the caprice of an imperious tyrant, who has unjuſtly deprived him of liberty, deliberately rendered his exiſtence miſerable, and by virtue of his *iniquitous* and *helliſh* bargain, pretends he has a right to diſpoſe even of *life* itſelf!

Such are the glorious aſſertors of American Independence, the *philoſophic*, *righteous*, *conſiſtent* members of the auguſt Congreſs, whoſe ſagacity enables them to diſcover "that all mankind are by nature created equal," and have "an unalienable right to life, liberty, and the "purſuit of happineſs;" and who, in the ſpirit of *meekneſs* and *humility*, complain of the injuſtice of the Britiſh Government in offering *liberty* to their *ſlaves*.

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Men of common reflection will find their reaſon revolt againſt the manifeſt contradictions which the advocates for the American cauſe impoſe on the implicit credulity of their deluded adherents; to thoſe who *dare* think for themſelves, it will appear impoſſible that a rebellion can have *liberty* for its object, which has the *proprietors of ſlaves* for its leaders.

ART. 4th. That the war is carried on againſt the revolted Colonies merely to ſupport the dignity of Parliament.

Parliament is a word which admits of two very different ſignifications. It is either uſed to denote that particular branch of the Legiſlature, called with greater propriety the Houſe of Commons, or the ſupreme Legiſlature of the Britiſh Empire, conſiſting of the King, Lords, and Commons in Parliament aſſembled. It is to be underſtood in this latter ſenſe, as it ſtands in the preſent article.

Previous to the actual commencement of hoſtilities, the leaders of the rebellion had repeatedly declared that they owed no ſubjection to the authority, no obedience to the acts of a Britiſh Parliament. This inſolent avowal of Independence was undoubtedly a groſs inſult on the Legiſlature, and highly derogatory to the *dignity* of Parliament. The Americans took

up

up arms to reſiſt the *authority* of Parliament, the Government to inforce it. Therefore "the "*dignity* of Parliament is the ſole object of the "war." Such is the opinion maintained by the opponents to Government, but it cannot be ſupported by argument. So far is the *dignity* of Parliament from being the *ſole* object of the war, that (even important as it is) it will appear of little eſtimation, when compared with the more immediate and weighty conſiderations, which render it not barely prudent or juſtifiable, but the indiſpenſible duty of Government to continue the neceſſary war, in which this nation is engaged, till the unjuſt claim to Independence ſhall be renounced by the ungrateful inſtigators of rebellion.

Every real friend to Great Britain, to the Colonies, to the common intereſts of humanity, muſt deplore the ruinous conſequences of this fatal contention, and earneſtly wiſh for peace. The bonds of intereſt and affection which united the diſtant Colonies to the parent ſtate, are violently torn aſunder. Our commerce is obſtructed, our property deſtroyed, our country impoveriſhed and depopulated. In America the dreadful effects of civil diſcord are ſtill more ſeverely felt. Thoſe revolted Colonies which experienced every ſocial bleſſing till they renounced

nounced the mild, juſt, and free Government which had delivered them from their foreign enemies, and conducted them to this envied height of proſperity, now exhibit one gloomy proſpect of horror, deſolation, and ſlaughter. Injured, deluded, enſlaved, the revolted Americans are the wretched victims to the wickedneſs, the craft, the tyranny of their ambitious leaders. It is to *them* the complicated miſchiefs ariſing from this unnatural and bloody conteſt are *ſolely* to be attributed; the unjuſt pretenſion to Independence originated with them; the acts of violence which preceded the rebellion were ſuggeſted, vindicated, encouraged by them; the firſt act of hoſtility was committed by *them*. But their advocates in England, are it ſeems convinced "that the 'wicked Adminiſtration' are the authors of the rebellion. "It was provoked by their oppreſſive and illegal exertions of power; they ſhould have repealed the tax, and redreſſed the grievances "complained of, inſtead of which they have "involved the nation in a ruinous and unjuſt "*war*, merely to ſupport the *dignity* of Parliament."

Do they really believe that the exertion of the conſtitutional authority of Parliament was a ſufficient provocation to juſtify rebellion? Do they

they think it an unpardonable offence in Government to *maintain* the dignity of Parliament, when it is inſeparably connected with the exiſtence of the Conſtitution, the *rights* of every ſubject in Great-Britain, and the *preſervation* of every Britiſh Colony in America? It is evident from the principles on which the rebellion was founded, and the uniform conduct of its leaders, that it was not, *as they pretend*, the effect of neceſſary reſiſtance to arbitrary power, but the reſult of a premeditated determination to aſſert abſolute Independence.

They have repeatedly declared they never would treat on any other terms. It is not Government, but the Congreſs that demand *unconditional ſubmiſſion*. From the commencement of the conteſt they have invariably denied the conſtitutional authority of Parliament; they have conſtantly aſſerted that acts of the Britiſh Legiſlature were not binding on them, or intitled to their obedience, *becauſe they were not repreſented in Parliament*.

If this aſſertion is true, the neceſſary conſequence is, that *every act* of Parliament to which the obedience of the Colonies is required, muſt be an act of oppreſſion; a wanton exerciſe of arbitrary power. The two Houſes of Parliament *are, and always have been*, aſſemblies

" *foreign to their Conſtitution," and their acts are, with reſpect to the Colonies, acts of " †pretended Legiſlation." If the premiſes could be proved, the concluſion would undoubtedly be *juſt*. One of theſe propoſitions muſt be true. The Colonies *are virtually* repreſented in Parliament, or they *are not* repreſented in Parliament at all. In the firſt caſe, acts of Parliament are equally binding in the Colonies and in Great-Britain; in the latter, the Colonies are, as the leaders of rebellion aſſert, totally *independent* of Parliamentary juriſdiction, which is the *conſtitutional authority* of the Britiſh Government.

The virtual repreſentation of all the Commons of the Britiſh Empire in Parliament, though denied by the revolted Americans, and ridiculed by their adherents in Britain, is the *baſis* of our excellent Conſtitution. For the revolution cannot be conſidered as the act of *the people*, if they were not *virtually* repreſented in the Parliament, which transferred the crown to King William. If they were only the *actual* repreſentatives of thoſe who had the right of voting, they were with reſpect to far the greater part of

* See Declaration of Congreſs, XIIIth Article.

† Ibid.

of the inhabitants in England, and to *all* the inhabitants of the Colonies, an arbitrary Junto of unauthorized " unacknowledged individuals," violently uſurping their rights, and unjuſtly aſſuming that privilege which every member of ſociety at that time poſſeſſed, of giving his ſuffrage to the election of a King, and to the material alterations in the Government, which were made at the glorious Revolution. The leading characteriſtic principles of Whigiſm are, " that all Governments are inſtituted for " the benefit of the people, ' that all power is " derived from them,' and that in the original " formation of a new Government, or on the " diſſolution of one that has before ſubſiſted, " they have a right to conſtitute ſuch form of " Government as they eſteem moſt eligible." But the inſtant power returns to its firſt principles, its activity is ſuſpended, and its energy deſtroyed. Power is to ſociety what the ſun is to our Globe; ſhould the atoms which compoſe that glorious luminary be diſperſed through the immenſity of infinite ſpace, they could neither enlighten, nor invigorate; but collected in one refulgent orb what amazing effects do they produce!

The diſſolution of Government is a *Chaos* in ſociety, and if the ſcattered rays of power, are

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not immediately collected to a point, the artificial creation cannot exist. For this reason the collective body of people of which every separate society consists, are constrained by invincible necessity, to unite in a social compact, to constitute a new form of Government on the dissolution of the preceding, and to *delegate* to such members of the community as they deem worthy of the important trust, that power which every individual in a state of nature would retain in his own possession.

By the abdication of James the Second, the throne became vacant, the antient Government was dissolved, sovereignty existed no longer, and power reverted to the people at large.

If ever the American Colonies had a right to assert Independence, it was at the Revolution. England had not *then* expended immense sums in their *support*, nor contracted enormous debts in their *defence*; the people of England therefore could not *then* have charged them with *injustice*, or upbraided them with *ingratitude*. They had in the preceding reigns experienced many of the inconveniencies of dependence, and few of its advantages; they had felt what the present race of Colonists deem the *intolerable* tyranny of Parliamentary authority. * The *long Parliament itself*

* See Lords Journals, Vol. 8th. P. 685.

itſelf had *taxed* them by an *Exciſe*. *"In "the reign of Charles the Second, an act paſſed "impoſing duties upon certain enumerated "goods, the produce of the Colonies, carried "from one Colony to another. The duties "are ordered to be levied by perſons deputed "by the Commiſſioners of the Cuſtoms in Eng-"land, under the authority, and by the di-"rection of the Commiſſioners of the Treaſury "in England; the produce of theſe taxes was "appropriated *not* to the ſervice of the Colo-"nies where they were levied, but to *general* "national purpoſes." If Parliamentary authority itſelf was a grievance, the Coloniſts had the moſt favourable opportunity to redreſs it. If the rigorous exertions of power manifeſted in the taxes above cited had been deemed oppreſſive, or taxation itſelf unjuſt, the remedy was in their own hands. The Abdication of James the Second had *diſſolved* the *ſocial compact* between England and the Colonies; if the former connection had been injurious to them, they might have demanded, as a condition of its renewal, that the cauſe of complaint ſhould be removed; if this had not been complied with, they had *then* an undoubted right to declare themſelves independent. But ſo far were they

* Anſwer to Declaration of American Congreſs. P. 65.

they from complaining of ſubjection to Parliamentary authority, that they recognized the Houſe of Commons as their virtual repreſentative in the moſt full and deciſive manner.

William the Third did not *demand* the crown of England as an inheritance or a matrimonial dower; he did not ſeize it as a conqueſt, but he received it as a *truſt*. *Non rapuit ſed accepit.* By receiving the crown he became inveſted with the ſovereignty of England and its American Colonies. But from whom did he receive it? Not from the *collective* body of the people, but from the *two Houſes of Parliament*, from the Houſe of Lords in their *own right*, and from the *Houſe of Commons* as the immediate delegate, *the virtual repreſentative* of the inhabitants of England and the American Colonies. The Coloniſts by *acknowledging* William to be their *lawful* Sovereign, did not barely *admit*, but actually *conſtituted* and *appointed* the Houſe of Commons to be their virtual repreſentative. They did not ſubmit to the Revolution as to an act of *legal authority*, for that it could not be, ſince all *legal* authority was aboliſhed by the *Abdication* of James, and could not be *reſtored* till William *had been acknowledged*. He received the ſovereignty of the Colonies, exactly in the ſame manner as he received the ſove-

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reignty of England; as the *voluntary* offering of the people, and the Houſe of Commons was conſidered as acting, on this ſolemn and important occaſion, in the capacity of *truſtees, delegates, virtual repreſentatives* of the *collective* body of people inhabiting the whole Britiſh empire.

If the Coloniſts had not *acknowledged* themſelves to have been *virtually* repreſented in the Parliament in which King William received the Crown, he could *not* have been their *lawful* ſovereign.

Let us ſuppoſe, with the advocates for rebellion, that the Colonies *are not now* repreſented in Parliament; that the Provincial aſſemblies with the King at their head, are ſo many *diſtinct independent Legiſlatures*. If they are ſo *now*, they were the *ſame* at the time of the Revolution. What is the conſequence? The Engliſh *Parliament* declared the throne to be *vacant* by the abdication of James; but the Americans are *not repreſented* in Parliament; this declaration therefore cannot affect *them*. King James never abdicated *their* Government. *A Colony Charter cannot be *altered* by an act of the Engliſh Parliament, *a fortiori* it cannot be *annulled* by a "*pretended*" act of "unacknowledged, unauthoriſed

* See 13th Article Declaration of Congreſs.

" authorized individuals;"* the Colonies therefore *not* being repreſented in the Parliament which "pretended" to inveſt William the Third with the ſovereignty, *cannot* be included in *that act*; they are *ſtill* in ſubjection to James the Second; their allegiance can only be transferred from him to another by an act of *each Provincial aſſembly*, which cannot be *valid* till it receives the *royal aſſent*.

Theſe conſequences muſt unavoidably be *admitted* if the virtual repreſentation of the Colonies in Parliament is denied; and it neceſſarily follows, that the Revolution was with reſpect to the Colonies, an act of arbitrary power; that the Britiſh Conſtitution was founded in tyranny and injuſtice; that the Engliſh Parliament had no authority to transfer the ſovereignty of the Colonies to William the Third, or his illuſtrious ſucceſſors; and that their allegiance is *now due* to the heirs of James the Second.

Such are the concluſions which evidently reſult from the principles on which the preſent rebellion was originally commenced by the pretended Champions of liberty in America, and is now juſtified by the *friends* of the Conſtitution in England!

I have

* See 13th Article Declaration of Congreſs.

I have now finiſhed the examination of the four articles, or general heads, under which I conceive are comprized the moſt material objections urged by the opponents to Adminiſtration againſt the principles on which they maintain the ſupremacy of Parliament; and juſtify the continuance of a war, which has for its object, the reduction of the revolted Colonies to that legal and conſtitutional ſubjection they have unjuſtly renounced.

I have attempted to prove that the reverſe of every propoſition contained in thoſe articles is uncontrovertibly true.

1ſt. That Adminiſtration has not violated the Conſtitution, by attempting to enforce the obedience of the Colonies to an act of the Britiſh Legiſlature.

2d. That Government is maintaining the conteſt with the Colonies on the principles of Whigiſm.

3d. That the Colonies were not provoked by Government firſt to revolt and afterwards to declare themſelves independent, but that the revolt itſelf was a declaration of Independence, and that it was *not* provoked but premeditated.

4th. That the war is not carried on by Government againſt the revolted Colonies, merely to ſupport the dignity of Parliament, but to de-

fend the Conſtitution, and to aſſert the rights of all the ſubjects of Great-Britain.

How far I have ſucceeded in this attempt the candid judgment of the impartial public muſt determine; I am convinced the cauſe I have endeavoured to vindicate is juſt, otherwiſe I ſhould not have attempted to defend it. If the arguments to which my reaſon cannot deny its aſſent, appear equally deciſive to others, the conviction they produce muſt be attributed to the irreſiſtible force of truth; if they fail of this effect, I ſincerely wiſh the cauſe of juſtice may be aſſerted by an abler advocate.

To me it ſeems impoſſible, that any real friend to the Conſtitution can be an advocate for the American rebellion, ſince they are founded on principles diametrically oppoſite. If the virtual repreſentation of the Colonies is *aſſerted*, the rebellion cannot be *juſtified*; if it is *denied*, the Conſtitution cannot be *defended*.

It concerns the ſupporters of oppoſition in England, to reconcile this manifeſt contradiction; nor is this taſk by any means unworthy their ſuperior abilities, becauſe it far exceeds the power of common underſtandings.

The deſperate ſword of the free and independent ſtates, has ſevered this *Gordian knot*. Daring and conſiſtent in their rebellion, they have

have *renounced* the Conſtitution; they have *broken* the ſocial compact which their anceſtors at the Revolution ſolemnly renewed with the government and the people of the Britiſh empire; they have declared themſelves a *ſeparate* ſociety, and have referred their cauſe to the dreadful and uncertain deciſion of arms. But there is another appeal which they ought to have made; they ſhould have conſulted *reaſon* and *juſtice* before they had recourſe to the ſword, "the robber's plea," the ultimate reſort of rapine, violence and wrong.

When two diſtinct independent nations engage in a war, either may begin the attack, and a very ſlight cauſe of diſpute has frequently occaſioned a bloody and deſtructive contention. Though in ſuch caſes each nation may be accuſed of folly and wickedneſs, it may remain a doubtful point which has juſtice on its ſide, or juſtice perhaps may not be at all concerned in the diſpute.

But in all *civil* wars the *inſurgents* muſt be the aggreſſors; becauſe a nation, or an empire, is a *ſeparate* ſociety of people, independent of all others, and the ſubjection of the individuals to the ſupreme government is the bond of union which connects the whole; a rebellion or inſurrection is a diſſolution of the connection by

which the ſociety was united, and the inſurgents by taking up *arms* to reſiſt the ſupreme power, become the *aggreſſors*. This reſiſtance is at once a *declaration* and a *commencement* of war; and government thus violently attacked, muſt either ſubmit to the conditions impoſed by the inſurgents, or repel force by force. Juſtice therefore muſt neceſſarily incline to one of the parties engaged in a civil war; if it is not *on the ſide* of rebellion, it *muſt be* againſt it, for the rebels are the *aggreſſors*; and if the injuries they have ſuſtained from government are not ſufficient to juſtify their reſiſtance, they are chargeable with all the horrors and miſchiefs which muſt neceſſarily reſult to ſociety, from their voluntary invaſion of its peace.

That ſubjects may, and often have received from the wickedneſs and oppreſſion of their governors, ſufficient provocations to juſtify rebellion, and even to render it *meritorious*, is undoubtedly true; nor can the plea of ſelf-defence exculpate the tyrant whoſe arbitrary conduct has drawn down upon him the vengeance of his injured ſubjects; to him alone muſt be attributed the evil conſequences of a rebellion, which his *injuſtice* has *provoked*.

In ſtates where the ſupreme power has been uſurped by the violence of arms, or tranſmit-

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ted to the ſoverign by the more humiliating impoſition of hereditary tyranny, the rights of the people are continually violated, and reſiſtance is not *barely juſtifiable*, but *indiſpenſably neceſſary*, unleſs they baſely prefer ſervitude to freedom.

In arbitrary governments every member of the community, has, at all times, an undoubted right to refuſe obedience, becauſe the ſovereign has no juſt title to demand it. But in a government conſtituted as that of Great-Britain is, on the principles of freedom, where ſovereignty is divided between the King and the people, and where every ſubject of the empire virtually conſents to the laws, this conſent abrogates the right of *partial* reſiſtance, for the concurrence of the *whole body* of the people is alone ſufficient to annul that ſovereign authority which they in their collective capacity eſtabliſhed; and if reſiſtance is deſtructive of ſupreme power, thoſe cannot have a right to reſiſt, that have not a *right to deſtroy it*. They who oppoſe ſupreme power with *ſucceſs* riſe ſuperior to it, and by that ſuperiority deſtroy it; for *inferior* ſovereignty cannot exiſt.

The advocates for the American rebellion contend that it is founded in juſtice, becauſe the Britiſh Legiſlature aſſerted that their power

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ſupreme; but if this argument is admitted, it will prove too much; it will be as good a plea for rebellion in *Britain*, as it is in *America*: *ſupreme* power they pretend is inconſiſtent with liberty, becauſe it *may* exerciſe unlimited oppreſſion; there lies no *appeal* from it. This objection holds good with reſpect to all arbitrary governments; but in free governments there is a remedy for the evil. The *collective body* of the ſociety which inveſted their governors with ſupreme power, have a right to reſume it, when they are convinced that the truſt has been abuſed. But all ſovereign legiſlative authority muſt be *ſupreme*, while it exiſts, and while it preſerves the bounds preſcribed by its original conſtitution. The difference between free and arbitrary governments is not to be ſought for in their Adminiſtration, but in their Conſtitution, for in their executive and legiſlative authority, they muſt all be alike ſupreme. In all free governments the *Legiſlators* themſelves muſt as individuals obey thoſe *laws* which the *Legiſlature* have enacted; and however paradoxical or unpopular the axiom may appear, it is incontrovertibly true, that the *right* of reſiſtance *decreaſes* in an inverſe *ratio* to the freedom of the conſtitution of government.

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The reaſon is plainly this; all arbitrary governments being founded on power not *delegated*, but *aſſumed*, are *direct* violations of the liberties of their ſubjects; and every individual being injured, has an undoubted right to ſeek redreſs by reſiſtance. Againſt authority ſo unjuſtly eſtabliſhed, rebellion is a virtue. Arbitrary power pretends to be *ſelf exiſtent*, or to be the immediate delegate of the deity, to whom alone it acknowledges itſelf amenable.

The deſpotic ſovereign derives his authority, and the people their ſubjection from the ſame ſource, and while perpetual tyranny is *impiouſly* tranſmitted to his poſterity, continual ſlavery is intailed upon theirs.

When the Tory Prieſts of the laſt century preached the doctrines of paſſive obedience and non-reſiſtance, it was not to a free government, but to an arbitrary tyrant, they endeavoured to transfer theſe obligations.

How great is the difference between unbridled tyranny, and ſupreme authority exerciſed by a government, eſtabliſhed on the principles of liberty, and acknowledging its power, and even its *exiſtence*, to be derived from, and dependent upon the general conſent of the people.

If a government thus conſtituted ſhould enact laws, or exerciſe powers oppreſſive to its ſubjects,

jects, from whom it was derived, and for whoſe benefit it was intended, the ſame power that created might juſtly deſtroy it, though during its exiſtence an *hoſtile oppoſition* of any part of its ſubjects to its laws would be rebellion, and an inſolent declaration of their Independence the higheſt act of treaſon againſt government, a daring violation of the ſocial compact, and a moſt unjuſt invaſion of the privileges and the peace of that community to which they were united by their *own voluntary* act. In this inſtance the conduct of the inſurgents is *not* to be vindicated, but how greatly is their offence aggravated, if the government againſt which they rebel has eſtabliſhed, ſupported, and defended them; if the people whoſe connection they have violently renounced, are oppreſſed with debts contracted in their defence!

Such is the preſent rebellion in America. But the advocates of this rebellion (for it has advocates even in Great-Britain!) aſſert, "that "no government can be *free* which is ſupreme "in its executive and legiſlative power, and "that reſiſtance of part of the ſubjects, is of "the Britiſh government, *in ſome* caſes, juſtifi-"able;" many are carried ſo far by their zeal for the *good* cauſe, as to declare that reſiſting the conſtitutional authority of government, de-

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nying its acts to be legal, attacking its ſubjects, and deſtroying them by force of arms, is *not* rebellion! With theſe political enthuſiaſts it would be abſurd to hold any argument, for enthuſiaſm is ſuperior to conviction. But of the *rational* defenders of the American cauſe, I deſire to be informed whether any government ever did, or ever can *exiſt* that is not ſupreme in its executive and legiſlative powers, and that allows *any part* of its ſubjects an *indefinite* power of reſiſting its authority? They aſſert, "that "when *any part* of the community is *oppreſſed*, "it has an undoubted right to reſiſt." This poſition is *deſtructive* of all government, becauſe it allows a *diſcretionary* power of reſiſtance to any part of its ſubjects. I would readily admit that in *a ſtate of nature* every *individual* has a right to reſiſt *what he thinks to be* oppreſſion. He is *judge* in his *own cauſe*. But by entering into the ſocial compact, the right of *partial reſiſtance* is *precluded*. For example, the province of *New England* is a part of the Britiſh empire, its inhabitants therefore are a part of *one community* united by a *ſocial compact*. Subjection to *one* ſupreme government is the Bond of union, which combines the different provinces into *one* empire, and their inhabitants into *one* ſociety.

The inhabitants of New-England aſſert, that they are oppreſſed by Government, *and therefore have a right to reſiſt its authority.*

Is this aſſertion to be taken for granted? Certainly not. Who then is to decide whether it is founded in truth or falſhood? The complainants being connected in a ſocial compact with the whole body of Britiſh ſubjects, are precluded from being *judges* in their own cauſe; the appeal therefore muſt be made to the *People at large*, of which they are but *a part*. If *theſe* continue to *ſupport* Government, the cauſe is decided againſt the complainants, and non-reſiſtance is their duty. If, on the contrary, the people join them, the juſtice of their cauſe is eſtabliſh'd, reſiſtance is no longer partial but general, and government muſt ſubmit, or be deſtroy'd.

But even on the abſurd ſuppoſition that *any part* of the ſubjects of a free government *have* a right to reſiſt its authority whenever they think it oppreſſive, or in other words *whenever they chuſe to diſobey it*, the rebellion cannot be juſtified. The American inſurgents did not *renounce* ſubjection to the Britiſh Government, but they aſſerted they *never* were its *ſubjects*—they did not reſiſt the exerciſe of *acknowledg'd* authority becauſe it was in *any* particular inſtance

ſtance oppreſſive, but they declared *every* exertion of power to be tyranny, *every* demand of obedience to be unjuſt.

They did not refuſe to pay the duty on tea becauſe it exceeded their *proportion* or *ability*, but becauſe it was a *tax* which they did not chuſe to pay, an Act of the Britiſh Parliament whoſe authority they would not acknowledge.

*The American Congreſs which ſat in the year 1775 declared the parliament to be "a "body of men *extraneous* to their conſtitution," and the demand of "any contribution, any "aid, under the form of a tax, to be unjuſt."

The conteſt in reality ſubſiſts between the ſubjects who acknowledge the Conſtitutional Supremacy of the Britiſh Legiſlature, and the revolted Americans who deny it.

The ſubject of contention is whether the inhabitants of the Britiſh Colonies are *virtually repreſented* in Parliament or not.

This queſtion would undoubtedly have been determined in the *affirmative*, if the appeal had been made to the Britiſh *Conſtitution*, which aſſerts that the ſupreme legiſlative authority of the Britiſh Empire is veſted in the King, Lords and Commons; but the revolted Americans have lately *diſcover'd* that each colony has a Legiſ-

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* See the proceedings of the Congreſs in 1775.

lature and a *Conſtitution* of its *own*——that the two Houſes of Parliament " are Bodies of " Men extraneous to *their* Conſtitution," and that conſequently *every* Act of the Supreme Legiſlature is with reſpect to them of no validity, being an Act of " pretended legiſlation."

The Britiſh Government is founded on theſe principles, that all its ſubjects *aſſent* to the laws by which they are govern'd, and that in paying taxes they give and grant their own money; that this aſſent is ſignified and this gift confirmed by their virtual repreſentative, the Houſe of Commons. This has ever been eſteemed a privilege peculiar to Britiſh ſubjects, and an effectual ſecurity to their liberties. But if the revolted Colonies have, as they aſſert, ſupreme legiſlatures within themſelves, and if they are not *virtually* repreſented in Parliament, they are not ſubjects of the Britiſh legiſlature. They owe no obedience to *any* of its laws; neither can they be ſubjects to the King of Great-Britain, becauſe the King cannot have any ſubjects in his Britiſh Dominions, which are independent of Parliament. He is reſtrained by the moſt ſolemn engagements from governing without a Parliament. *Every* Colony therefore in America and its dependencies muſt be *virtually* repreſented in Parliament, or be acknowledged

ledged as a ſeparate independent ſtate. There is no alternative; nor can government with the leaſt ſhadow of reaſon or juſtice demand the future obedience of thoſe Colonies who have not yet *reſiſted*, if it grants independence to thoſe who *have*. This would be to reward the *guilty* and *puniſh* the innocent.

The virtual repreſentation of the Colonies neceſſarily reſults from the Britiſh Conſtitution. But the revolted Americans aſſert that the idea of their being virtually repreſented is ridiculous, and that the ſyſtem of government eſtabliſhed at the Revolution being founded on that principle is abſurd, arbitrary, and unjuſt; that they are not virtually repreſented in the Britiſh Parliament, and conſequently that they owe no obedience to its acts. Admit this, and Independence is eſtabliſhed. But how does it appear that the Colonies are not repreſented? "The Colonies are 3000 miles diſtant from "Great-Britain, they contain three millions of "inhabitants—can theſe be repreſented in the "Britiſh Parliament?" This then is the *ſolid* baſis of American Independence, but it cannot ſtand againſt the force of reaſon, for it might juſtly be anſwered thus: "Great-Britain con-"tains eight millions of inhabitants, of theſe "two millions are at leaſt 300 miles from the "metropolis

" metropolis where the Parliament reſides!" Can theſe eight millions be repreſented? What is the concluſion. Parliament may be the repreſentative of the inferior number of three millions, if it can of the eight millions; and, though it cannot be the *actual* repreſentative of either, it may be and certainly is the *virtual* repreſentative of both. To this it will be anſwered, " the caſes are not parallel, becauſe the people " of Great-Britain *vote* for their repreſentatives, " thoſe in America do *not*." Do *all* the people in Great-Britain *vote* for their repreſentatives? " No." How then can the Houſe of Commons be the repreſentative of *all* the inhabitants of Great-Britain, when the number who vote is comparatively ſmall? How can the member who is elected *repreſent* the *voters* who polled for his opponent? The Houſe of Commons can only be the *actual* repreſentatives of thoſe who *actually* voted for its members. How then is the collective body of Britiſh inhabitants repreſented? VIRTUALLY, and in conſequence of this *virtual* repreſentation, they are *equally* obliged to pay *taxes* and obey acts of Parliament, with thoſe who are *actually* repreſented. " But ſtill the caſe is not parallel, be- " cauſe the inhabitants of the Colonies are " 3000 miles diſtant?"

Anſw.

Anſw. This is the cauſe from whence the greateſt part of our taxes have ariſen; it is therefore an extraordinary plea to allege for *exemption* from taxation; beſides which, it is no argument againſt the virtual repreſentation of the Colonies, becauſe thoſe inhabitants of Great-Britain who cannot vote, have no greater ſhare in electing their *virtual* repreſentatives than the inhabitants of the Colonies. " But there is a " material difference, there is an *objection* to " admitting the taxation of the Colonies by the " Britiſh Parliament which cannot be anſwer- " ed." " It is this. In Britain the members " of the Houſe of Commons tax *themſelves* and " their *electors*, as well as thoſe whom they *vir-* " *tually* repreſent; but this cannot be the caſe " with reſpect to the Colonies, therefore tax- " ation of the Colonies by Parliament muſt be " unjuſt." *Anſ.* It is allowed that taxes *raiſed* in America are not *paid* by the inhabitants of Great-Britain, neither are taxes *raiſed* in Great-Britain *paid* by the Coloniſts; with much greater reaſon might the Britiſh Nation refuſe to pay any taxes to which the Coloniſts did not contribute their proportion.

" But this argument does not anſwer the ob- " jection, becauſe if it is admitted the Britiſh " Parliament has a right to tax the Colonies,

" they

" they *may* exceed the due proportion." Will the moſt ſtrenuous advocate for the American cauſe pretend that this proportion *was* exceeded by the tax which they refuſe to pay? On what principle of reaſon or juſtice is this ungrateful rebellion defended? The boaſted *unanſwerable* argument advanced in its favour amounts to no more than this; the Americans renounce ſubjection, becauſe government *may* be oppreſſive. They refuſe to contribute the *ſmalleſt* part even of the expences of maintaining their civil government, leſt the proportion which the inhabitants of Great-Britain have *a juſt right* to expect, and the Parliament a conſtitutional authority to *demand*, ſhould in ſome diſtant period of time be exceeded! If the bare *poſſibility* of being oppreſſed by government, can juſtify revolt, the American rebellion has an excuſe; if the groundleſs apprehenſion of future injury is a plea for committing preſent injuſtice, and if ſelf-intereſt has ſufficient power to diſſolve the moſt ſolemn covenants, and cancel all moral and civil obligations, the declaration of Independence may be vindicated.

In anſwering thoſe objections to the *virtual* repreſentation of the Colonies which appeared to me of moſt conſequence, I have endeavoured to be conciſe, well knowing the ſubject has been

been frequently and amply diſcuſſed, nor ſhould I for that reaſon have mentioned it here, if I had not conſidered it to be of the utmoſt importance in the diſpute between Great Britain and the revolted Colonies, becauſe the *denial* of virtual repreſentation is the *foundation* of their claim to Independence. If I have omitted to take notice of any material objections, or if the anſwers given to thoſe I have conſidered are deemed inconcluſive, there is ſtill one argument which muſt be deciſive. The Americans themſelves by acknowledging *the Parliamentary* title by which alone William the Third became inveſted with the ſovereignty of the Colonies, not only *admitted*, but in the cleareſt and fulleſt manner *declared* themſelves to be *virtually* preſented in Parliament. Yet in ſpite of this demonſtrative evidence, the Congreſs is not aſhamed to aſſert, that the two Houſes of Parliament are "bodies of men extraneous to "their Conſtitution," that acts of the Britiſh Parliament are acts of "pretended" legiſlation. They do not ſay *their declaration makes* thoſe powers of no effect which were *before* deemed valid, but they aſert that all acts of the Britiſh Legiſlature were acts of "pre-"tended" legiſlation, and they declare it to be a * *grievance* to demand their ſubmiſſion

* See XIIIth Article Declaration of Congreſs.

to any acts of "unacknowledged" individuals.

The Congreſs muſt own there *was* a time when the Colonies allowed themſelves to be a part of the Britiſh Empire; when they *voluntarily* acknowledged the ſupreme legiſlative authority of Parliament to operate with equal force in Britain and in America;—the Congreſs cannot deny that there was a time, and that not very remote, when they, partaking of the general conſternation of their countrymen, joined in humble ſupplication to that government whoſe authority they now ſo inſolently diſclaim, to protect and defend them from their powerful and inveterate enemies.

Has the Britiſh Conſtitution been ſubverted, the authority of Parliament been ſuperſeded, the *Conſtitution* and ſupreme Legiſlature of each Colony been eſtabliſhed, the legiſlative powers of the Houſe of Lords been transferred to the Council, and that of the Houſe of Commons to the Aſſembly of each particular province, ſince they acknowledged themſelves *dutiful* and *timorous* ſubjects? If any of theſe important events have happened, let the Congreſs ſhew, when and by what means, they were accompliſhed. If they are unable to do this, their denial of the ſupreme authority of Parliament,

and

and their claim to Independence founded on that denial cannot be defended.

Yet the ſupport of this moſt unjuſt and unreaſonable pretenſion, was the ſole premeditated object of the American rebellion.

It is manifeſtly falſe and abſurd to aſſert that they took up arms to redreſs grievances, or reſiſt the unjuſt and arbitrary meaſures of Adminiſtration. It is falſe, becauſe the grievances of which they complained *previous* to the rebellion exiſted only in their imagination, and thoſe Acts of Parliament which were the unavoidable *conſequences* of their hoſtile and violent meaſures were comprehended in the liſt*, and aſſigned as *cauſes* which gave riſe to it, though the Americans knew the operation of theſe acts would ceaſe the moment they returned to obedience.

It is abſurd, becauſe if it is admitted that *every* act of which they complained was in *reality* a grievance, they prevented all poſſibility of redreſs, by including ſubjection to *Government* in the liſt of oppreſſions from which *Government* was petitioned to relieve them.

When ſubjects rebel againſt the ſupreme power of the ſtate, to reſiſt the heavy oppreſſion of tyranny—to obtain redreſs of particu-

* See Declaration of the Congreſs.

lar grievances, or to acquire an extenſion of their privileges, there is a foundation for a *peace* between the contending parties; they acknowledge themſelves to have been ſubjects to the Government againſt which they have taken up arms, and are willing to return from rebellion to ſubjection if their demands are complied with.

But the principles on which the American rebellion is founded admit no treaty with the Government, no appeal to the Conſtitution, no union with the ſubjects of the Britiſh Empire. By denying the ſupremacy of Parliament they have renounced the Government, violated the Conſtitution, and committed the higheſt act of injuſtice againſt the people with whom they were by the moſt ſolemn compact inſeperably connected, to whom they are under the greateſt obligations.

The Americans, when they ſtood in need of protection, readily united with the people of Great Britain; they conſidered themſelves ſubjects of the Britiſh Empire, and they acknowledged the King, Lords and Commons in Parliament aſſembled, to be the ſupreme Legiſlature, whoſe acts are laws to all the ſubjects of this Empire. Was the conduct of Adminiſtration arbitrary and unjuſt?

Where

Were the laws too ſevere to be obeyed? Were the taxes too heavy to be borne? Did they want redreſs of grievances or extenſion of privileges? They knew where to apply for relief. A Britiſh Parliament is always ready to hear and to comply with the juſt requeſts of *Britiſh ſubjects*.—Pardon the *humiliating* appellation, ye high and mighty free and independent ſtates! You are no longer ſubjects, you do not need protection from the Parliament, nor aſſiſtance from the people of Britain. The French are no longer objects of your hatred or fear. You have now a "Conſtitution, Legi-"ſlatures" and a "Congreſs" of your own. Acts of the Britiſh Parliaments are acts of "pre-"tended legiſlation," our King is "not worthy "to reign over ſo great and ſo free a people;" but if we will acknowledge your Independence, and aſſign you a place among the kingdoms or empires of the world, you will grant us the honour of your alliance, on ſuch conditions as you think proper * provided our King will employ ſuch Miniſters as you pleaſe to appoint.

Theſe are the ſentiments and pretenſions of the American demagogues; and I have expreſs'd them as near as poſſible in their own words. Whatever their

* See General Gates's Letter to Lord Thanet, read in the Houſe of Lords 16th of February, 1778.

their *profeſſions* might be in the beginning of the conteſt, their principles were undoubtedly the ſame. When they firſt took up arms they openly diſclaimed all obedience to the ſupreme authority of parliament; and as they well knew there was no other conſtitutional government in Great-Britain, this was as certain, though not ſo direct an avowal of Independence as the declaration of their Congreſs.

They knew this claim muſt be an *effectual bar* to any accommodation with Great-Britain, yet they inſiſted the acknowledgment of it ſhould be the preliminary to every treaty that has been propoſed. General Gates, who is certainly well acquainted with the ſentiments of the principal promoters of rebellion, declares in the letter above referred to, that " * ſooner than not keep " their Independence the Americans will part " with their lives."—Is there in Great-Britain a ſingle advocate for their cauſe who will openly avow the *juſtice* of this claim? Is there in either Houſe of Parliament a member who will *plainly* tell the miniſters they *ought* to make peace with the Americans on *their own terms*—that it is their *duty* to ſacrifice the national honour and juſtice, the Britiſh Conſtitution, the *Rights*, nay even the *Liberty* of every Britiſh ſubject at the ſhrine of the American idol?

This

* See General Gates's Letter to Lord Thanet.

This is the vindictive dæmon who commanded the ſword of rebellion to be drawn—the inhuman Moloch who cannot be ſatiated with blood!

The Americans at firſt pretended they were reluctantly engaged in the revolt—that they were forced to take up arms, by the arbitrary and unjuſt conduct of Adminiſtration; that though they would not ſubmit to be *taxed* by the Britiſh Parliament, they would acknowledge its authority in all other reſpects; they would even ſubmit to the act of Navigation, and would tax themſelves by their aſſemblies. Here then was a foundation for a treaty, and Government, anxious to terminate a war in which the injuſtice of the Americans had compelled them to engage, offered to treat with them on their own terms; "that Parliament giving up its conſti-
"tutional power of taxing them, ſhould only
"*demand* the ſum to be raiſed, but that the
"Provincial aſſemblies ſhould raiſe the tax."

Theſe were ſuch offers as never were made, ſuch indulgences as never were expected by the Colonies in any former period of their exiſtence. They had, ſince their firſt eſtabliſhments, been invariably taxed by Parliament, and the revenue ſo raiſed, had been expended in what manner Government thought proper. How great therefore were the conceſſions voluntarily

luntarily offered by Great-Britain to her rebellious Colonies, and how evidently do they prove her pacific intentions! They could no longer pretend to object againſt the *mode* of taxation, nor could they avoid accepting theſe terms without *denying* what they had before *affirmed*. This the Congreſs made no ſcruple of doing, and in contradiction to truth, to common ſenſe, and even to their own prior declaration, they affirmed, that * " the conditions propoſed by " Parliament were inſidious and unreaſonable, " the requiſition to furniſh any contribution, " any aid under the form of a tax, was declared " to be *unjuſt*; the Parliament was declared to " be a body of men extraneous to their Con- " ſtitution, and its intermeddling in their pro- " viſions for the ſupport of the civil govern- " ment, or adminiſtration of juſtice, was con- " trary to right." Taxation was unjuſt becauſe it was prejudicial to their intereſt; Parliamentary juriſdiction was contrary to right, becauſe it was inconſiſtent with their plan of Independence. But it has been ſaid Government ſhould have given up all pretenſions to tax them, and contented itſelf with exacting their obedience to the act of Navigation. Had this conceſſion been made, it would have been received with equal inſo-

lence

* Anſwer to Declaration of Congreſs. P. 115.

ence and diſdain. Would the Congreſs, who declare all acts of Parliament to be " acts of " pretended Legiſlation;" the Lords and Commons aſſembled in Parliament to be " bodies " of men extraneous to their Conſtitution," and all taxes to be " *unjuſt*," have ſubmitted to the act of Navigation? " But all the acts of Par- " liament which they deem oppreſſive ſhould " be repealed." What would that avail? To the Congreſs it is indifferent whether Parliament paſſes acts or repeals them. Parliament is " a body of men extraneous to their Conſti- " tution."—" But Government ſhould make " peace with them, it ought not to continue an " expenſive, ruinous and fruitleſs conteſt."

This is only ſaying that Government ſhould acknowledge their claim to Independence. There can be no peace, there cannot even be the leaſt foundation for a treaty, till Independence is renounced or acknowledged, though every overture that has been, or may be made by Great-Britain, and rejected by the Americans, will manifeſt the moderation of Government, and aggravate the *guilt* of this *moſt unjuſt* rebellion. To their *unreaſonable* demand of Independence, every ſhilling that is expended, every *life* that is loſt in the conteſt, falls a ſacrifice! This their advocates ought to conſider,

when they *magnify* the expences and *exaggerate* the loſs of the war. What was the anſwer of the Deputies of the Congreſs to the Commiſſioners appointed to treat with them. We have no power to negotiate, " till the Independence of " the free and united ſtates is acknowledged." But it has been objected, " that the Commiſ- " ſioners and the Deputies might not clearly " underſtand each other." The anſwer of the latter might not be explicit or definitive, it might have been miſrepreſented, or miſapprehended; or perhaps the Congreſs would have been induced to *recede* from their pretenſions to Independence. Let the Congreſs then ſpeak for themſelves, their advocates ſurely will not queſtion the truth of *their* aſſertions. The following copy of their inſtructions to their emiſſaries, or (as they call them) " *Plenipotentiaries*, at the " ſeveral courts in Europe," declare their intentions in terms too plain for the dulleſt apprehenſion to miſconceive, too ſtrong for the moſt inveterate malice to exaggerate.

The following is an authentic COPY *of the* INSTRUCTIONS *given by* CONGRESS *to the American Plenipotentiaries ſent to the ſeveral Courts of Europe.*

In CONGRESS, *December* 30, 1776.

RESOLVED,

" That Commiſſioners be ſent to the courts of Vienna,

Vienna, France Spain, Pruſſia, and the Grand Duke of Tuſcany.

" That the ſeveral Commiſſioners of the United States be inſtructed to aſſure the reſpective courts, that notwithſtanding the artful and inſidious endeavours of the court of Great Britain, to repreſent the Congreſs and inhabitants of theſe States to the European powers, as having a diſpoſition again to ſubmit to the ſovereignty of the crown of Great Britain, *it is their determination, at all events, to maintain their Independence.*

" That the Commiſſioners be reſpectively directed to uſe every means in their power, to procure the aſſiſtance of the Emperor of Germany, and of their moſt Chriſtian, Catholic, and Pruſſian Majeſties, for preventing Ruſſian, German, and other foreign troops, from being ſent to North America for hoſtile purpoſes againſt the United States, and for obtaining a recall of thoſe already ſent.

" That his Moſt Chriſtian Majeſty be induced, if poſſible to aſſiſt the United States in the preſent war with Great Britain, by attacking the Electorate of Hanover, or any part of the dominions of Great Britain in Europe, the Eaſt or Weſt Indies.

" That the Commiſſioners be further empowered to ſtipulate with the court of France, that all the trade between the United States, and the *Weſt India Iſlands*, ſhall be carried on by veſſels either belonging to the ſubjects of his Moſt Chriſtian Majeſty, or theſe States, each having liberty to carry on ſuch trade.

" That the Commiſſioners be likewiſe inſtructed to aſſure his Moſt Chriſtian Majeſty, that ſhould his forces be employed in conjunction with the United States, to exclude his Britannic Majeſty from any ſhare in the *Cod Fiſhery* of America, by *reducing* the Iſlands of Newfoundland and Cape Breton; and that ſhips of war be furniſhed, when required, by the United States, to reduce Nova Scotia,—the fiſhery ſhall be enjoyed equally, and in common, by the ſubjects of his Moſt Chriſtian Majeſty, provided the Province of Nova Scotia, Iſland of Cape Breton, and the remaining part of Newfoundland, be annexed to the territory and government of the United States.

" That ſhould the propoſals, made as above, be *inſufficient* to produce the propoſed declaration of war, and the Commiſſioners are convinced and that it cannot otherwiſe be accompliſhed, they muſt aſſure his Moſt Chriſtian Majeſty, that ſuch of the Britiſh *Weſt India Iſlands*,

Iſlands, as in the courſe of the war ſhall be REDUCED by the united force of France and theſe States, ſhall be yielded an *abſolute property to his Moſt Chriſtian Majeſty*. The United States engage, on timely notice, to furniſh at the expence of the ſaid States, and deliver at ſome convenient port or ports, in the ſaid State, proviſions for carrying on an expedition againſt the ſaid iſlands, to the amount of two millions of dollars, and ſix frigates, mounting not leſs than twenty-four guns each, manned and fitted for ſea; and to render any other aſſiſtance which may be in their power, as becomes good allies.

" That the Commiſſioners for the courts of France and Spain conſult together, and prepare a treaty of commerce and alliance, as nearly as may be, ſimilar to the firſt propoſed to the court of France, and not inconſiſtent therewith, nor diſagreeable to his Moſt Chriſtian Majeſty, to be propoſed to the court of Spain; adding thereto,

" That if his Catholic Majeſty will join with the United States in a war with Great-Britain, they will aſſiſt in reducing to the poſſeſſion of Spain, the town and harbour of Penſacola, provided the citizens and inhabitants of the United States ſhall have the free and uninterrupted navigation of the Miſſiſippi, and the uſe of the

harbour

harbour of Penſacola; and will, provided it ſhall be true that his Portugueſe Majeſty has inſultingly expelled the veſſels of theſe States from his ports, or has confiſcated ſuch veſſels, declare war againſt the ſaid King, if that meaſure ſhall be agreeable to, and ſupported by the courts of France and Spain.

"That the Commiſſioners for the court of Berlin conſult with the Commiſſioners at the court of France, and prepare ſuch treaty or treaties of friendſhip and commerce to be propoſed to the King of Pruſſia, as ſhall not be diſagreeable to their Moſt Chriſtian and Catholick Majeſties.

Extract of the Minutes,
CHARLES THOMPSON,
Secretary of the Congreſs."*

By Order of the Congreſs,
JOHN HANCOCK, *Preſident.*

If this paper had not been genuine, its authenticity would have been diſproved by the advocates of the American rebellion, becauſe it clearly demonſtrates what they have conſtantly denied, that Independence of this government, and a total ſeparation from the people of Great-Britain, were the real objects of the war.

The

* See Middleſex Journal, 29th Jan. 1778.

The leaders and projectors of the revolt dread nothing ſo much as a re-union between Great-Britain and America, they are convinced this deſirable event would put a final period to their cruel and oppreſſive tyranny. They know their deluded adherents have been made the dupes of their artifice and ambition; deceived by groundleſs apprehenſions of grievances, and flattered by the alluring proſpects of Liberty and Independence, the people of the revolted Colonies have brought upon themſelves the evils they feared, and forfeited the bleſſings they enjoyed.

They had not a plauſible pretence to excuſe their rebellion againſt a government, which had by a vigorous and ſucceſsful exertion of power ſaved them from impending ruin, delivered them from the fear of their enemies, and confirmed to them the ſecure enjoyment of their poſſeſſions, the certain acquiſition of wealth, the unbounded toleration of their religion, and an equal degree of civil liberty with the ſubjects of the parent ſtate. But if their ingratitude to the Britiſh Government cannot be excuſed, how can their injuſtice to their fellow ſubjects be vindicated?

The conditions offered by Government "that "they ſhould raiſe by their provincial aſſem-

"blies

" blies a tax proportionate to their abilities," were favourable to America, though they were juſt with reſpect to Britain. Peace might then have been reſtored upon honourable and equitable terms. If the American people had been allowed calmly to reflect on the fatal conſequences of their rebellion, if their paſſions artfully and violently excited, had been ſuffered to ſubſide, and the propoſitions of Government could have been made to them at ſo happy a time, reaſon, juſtice, and natural affection for the Britiſh nation would certainly have prevailed. But no application from Great Britain could be made immediately to the people. They were only ſuffered to view objects through a deceitful medium. Diſtorted, defaced, and preſented in odious colours to the eye of popular prejudice, the fair plan of harmony and felicity was regarded with abhorrence and rejected with diſdain. The terms of reconciliation voluntarily offered by Britain, and fatally refuſed by the Americans, were ſuch as no *real* friend to the peace or the *liberty* of that unhappy and deluded people, could poſſibly have refuſed. But when the leaders of this unnatural rebellion drew the ſword, they threw away the ſcabbard; redreſs of grievances was not the object of their revolt, nor ſubmiſſion to government their intention. They could not entertain a doubt of the diſpo-

ſition

ſition of Parliament to remove any real cauſe of complaint as readily as it renounced its hitherto acknowledged prerogative. Convinced of the ſtrong propenſity of Britain to peace, they took effectual meaſures to counteract its force, and ſupport their new erected tyranny, which trembled to its foundation, and threatened them with impending deſtruction. By *declaring* themſelves independent of Parliament, and denying the juſtice of contributing any aid to the exigencies of Government, they entirely altered the aſpect of the rebellion; it was no longer a ſtruggle between Parliament and the Provincial aſſemblies, or an inſurrection to obtain redreſs of grievances. The object of the revolt which had at firſt been *carefully diſguiſed*, was now *openly avowed*; and their hoſtile intentions againſt the ſubjects of Great-Britain were publicly declared.

The reaſons they aſſigned for breaking the bonds of affection, of gratitude, and of mutual intereſt, which had connected them with the Britiſh nation, ſo far from exculpating them, were aggravations of their offence. The only argument they can advance in ſupport of their claim to Independence, is their determination not to relinquiſh it. Their declaration that any aid or contribution under the form of a tax is

unjuſt, is ſo manifeſt a contradiction to truth and reaſon, that it can only be conſidered by the people of this country as an inſult to their underſtanding.

As dependent Colonies they were at firſt eſtabliſhed, and as ſuch they have conſtantly been protected and defended. Immenſe ſums have been expended in their ſupport, enormous debts contracted in their defence. When their advocates want to intimidate Great-Britain, they expatiate on the ſtrength of the revolted Colonies. It has often been aſſerted that they contain three millions of people, *active and zealous in ſupport of the righteous cauſe*; that their reſources are inexhauſtible, and that they are in themſelves able to contend with the whole power of the Britiſh Empire, which remains in ſubjection. To theſe three millions we muſt add a proportionable number of *women*, *children*, and *helpleſs old men*, who *cannot* be included in the number of *active* adherents to rebellion, becauſe they require defence, inſtead of affording aſſiſtance to their friends. Neither can the numerous *adherents* to Government, in the revolted Provinces, be added to the liſt of its *enemies*. What an amazing idea will the addition of all thoſe who *cannot*, or *will* not aſſiſt the cauſe of rebellion, to the three millions who (we are told) are *active* in its defence,

defence, give us of the rapid *increaſe* of population in the revolted Colonies! From the *inconceivable ſmall* part of this formidable body which has as *yet* appeared in arms againſt Great-Britain, we may hope that the *number* of our enemies may be greatly exaggerated, or poſſibly their *ardour* may be ſomewhat abated; their *new* Conſtitution may not be found upon trial ſo perfectly free, as they were taught to believe. *Independence*, when poſſeſſed, may not perhaps be ſo great a bleſſing as it appears in idea; and experience may have convinced many of the revolted Americans, that even the righteous government of the Congreſs, is not exempt from evil.

However, theſe conjectures cannot invalidate the repeated teſtimonies which the leaders of oppoſition continually give the public reſpecting the ſtrength, population, and immenſe reſources of the revolted Colonies. The accuracy and impartiality of the Patriots in pointing out the weakneſs of Great-Britain, and the formidable power of the Colonies, is ſo evident, that their authority muſt be deciſive. Their eſtimate ſhall therefore be admitted. What is the conſequence? The more powerful the Americans are, the greater will be the difficulty of keeping them in ſubjection. Be it ſo. But it

muſt alſo be allowed, that they are *more* capable of aiding the government and the people by whom they have been protected, from whom their power is derived. Every proof of their *ability* to relieve the burdens of their fellow ſubjects, is an aggravation of their injuſtice and ingratitude. Long before they were arrived at this high degree of power, long before this nation had impoveriſhed itſelf in their defence, when William the Third, the glorious defender of liberty ſat on the Britiſh throne, and Mr. *Locke* ſat at the board of trade, they were taxed by Parliament, and the revenue ariſing from the tax, was expended on this nation.

The commiſſion and inſtructions for the council of trade, drawn up in the 9th of King William IIId. addreſſed to Mr. Locke and others, evidently proves, that Government then exerciſed a much higher degree of power over the Colonies, than any now complained of. Among other inſtructions to the commiſſioners, they are directed "to enquire into the means of making "the Colonies *moſt uſeful and beneficial to Eng-* "*land*, into the ſtaples and manufactures which "may be encouraged there, into the trades "which are taken up and exerciſed there, which "may prove prejudicial to *England*:—into the "means of *diverting* them from ſuch trades.

"Further

" Further they are inſtructed to *examine* into " and *weigh* the acts of the [Provincial] aſſem- " blies—to ſet down the *uſefulneſs or miſchief* " of them to the *crown*, the *kingdom*, or the " *plantations themſelves*. To require an ac- " count of all the *monies* given for public " uſes by the aſſemblies of the plantations, " and how the ſame are, or have been em- " ployed or laid out."

Are not the powers veſted in the Commiſſioners, by the abovementioned inſtructions, much higher in their pretenſions, and more rigorous in their operation, than any that have been alleged as excuſes for the preſent rebellion?

Yet Mr. Locke, who was certainly the moſt clear, acute, and accurate reaſoner that ever exiſted; who had particularly applied his great abilities to political ſtudies, whoſe integrity was unblemiſhed, and who was a ſtrenuous aſſertor of liberty, not only *approved* but took an *active part* in the meaſures then purſued by Government.

If they were tyrannical or unjuſt, no man would have ſooner diſcovered it. If he had *thought* them ſo, no conſideration would have induced him to concur with them. It is manifeſt he entertained the ſame opinion on the ſubject

ject * as the legiſlature, who eſteemed it a duty which they owed to Great Britain, to keep the Colonies in a *ſtrict* ſubjection to their ſupreme authority;—to prevent them from *rivaling* or *injuring* the parent ſtate, and to make the provincial aſſemblies ſenſible their higheſt acts were ſubject to the *controul* of a ſuperior power.

Even the Americans did not *then* pretend this conduct towards them was either oppreſſive or arbitrary. They had not then diſcovered "that "taxation is unjuſt—that the two Houſes of "Parliament are bodies of men extraneous to "their conſtitution—that their acts are acts of "pretended legiſlation—that every provincial "aſſembly is a ſupreme legiſlature—every "Colony a ſtate—that ſubjection to Parliamen-"tary authority is ſlavery, and finally—that "America is independent of Great Britain."

The world has ſince its creation been in a conſtant progreſſion of improvement. The ſtateſmen of the laſt age were but children in political knowledge, compared with thoſe of the preſent generation. The legiſlators of the Free and Independent States of America have the honour of diſcovering and † publiſhing to

* See Com. Jour. Vol. XII. P. 70, 71, 72.

† See Declaration of the Congreſs.

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the world ſecrets in the ſcience of Government which entirely eſcaped the penetrating genius of a Locke.

The acuteneſs of the Congreſs can never be ſufficiently admired. Their reaſon riſes ſuperior to the force of *cuſtom* or *prejudice*, and they do not form their opinions from common appearances. Thus though the members of which that auguſt body is compoſed, make no ſcruple to purchaſe their fellow creatures for gold, to deprive them of happineſs, of liberty, and in ſome inſtances even of life itſelf, they are convinced experience is often deceitful, and in ſpite of theſe *ſtrong preſumptions* to the contrary, they maintain that the † "rights "of life, liberty and the purſuit of happineſs "are unalienable, and they hold this to be "among *truths, ſelf evident.*" When we conſider this evident proof of their diſcernment, we need not be ſurprized that they ſhould be able to find out the *injuſtice* of contributing any aid to the Britiſh nation, and the tyranny of our Conſtitution, at a time when there was not the *leaſt* probability of making ſuch wonderful diſcoveries. Men of *common* capacities would apprehend, that if juſtice *permitted* taxation of the Colonies in the *reign* of King Wil-

† See the Declaration of the Congreſs.

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liam, it might demand it in *that* of his preſent Majeſty. If it barely authorized the power which Parliament exerciſed *then*, it abſolutely requires it now.

But it was neither the intention of Government, nor the deſire of the Britiſh nation, to exact ſtrict juſtice of the Americans. It has been aſſerted that the reſtraints laid upon the commerce of America in favour of Great Britain, is a ſufficient compenſation for the blood and treaſure this nation has expended in defence of the Colonies. Why then was their commerce *full as much* reſtrained before theſe expences were incurred? Are the *additional* obligations conferred upon the Colonies reaſons for *renouncing* ſubjection to the Government, and breaking their covenant with the people, by whom their commerce was protected and ſecured? For transferring it to our inveterate enemies, to the nation that would but for our powerful interpoſition have deſtroyed it?

Content with the benefit derived from her commerce with the Americans, which from their rapid increaſe in wealth and population could not be leſs advantageous to themſelves, Great-Britain did not expect they ſhould bear a proportionate part of the public burden. But the leaders of the revolt declare "*any* aid, *any* con-

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"tribution, under the form of a tax, to be *un-*
"*juſt*;" even though it ſhould be raiſed by their provincial aſſemblies.—It is impoſſible any man of common ſenſe can admit the truth of this aſſertion; neither would it juſtify the Congreſs in rejecting the terms offer'd by Government, if its truth ſhould be admitted. For if the taxes raiſed by their own Aſſemblies, at the requiſition of Parliament, had been expended on their Civil Government, they would not have been *any* aid or contribution to Great-Britain; neither would it have been *poſſible* that Parliament could in this caſe ever have demanded *more* than their proportion.—On what ground then could they refuſe to accept conditions which would have ſecured them from the pretended injuſtice of contributing any aid to this injured nation; and delivered them from the groundleſs apprehenſion that more than their proportion would ever be demanded? But ſuppoſe they had been required to raiſe a tax for payment of part of the annual intereſt, or even to conſtitute a fund to be applied in diſcharging their proportion of the principal of a debt contracted in their defence, would ſuch a demand have been unjuſt? If they are able to reſiſt the collected force of the Britiſh Empire, they could certainly have afforded their fellow-ſubjects that

aſſiſtance which they might reaſonably and juſtly have demanded. The people of this nation have at all times been ready to ſacrifice their property, and even their lives, in defence of the rebellious colonies. Had they been better œconomiſts of both, they might have avoided the diſſipation of wealth and effuſion of blood, which the preſent ungrateful rebellion occaſions. If the victorious arms of Britain had not *expelled* the *French* from the American continent, the Britiſh colonies would not now have courted their alliance.

A war enter'd into by Great-Britain in conſequence of the earneſt ſupplications of her American ſubjects, from which this country derived empty fame, and *they* ſolid advantage; a war by which they were *enriched*, *ſtrengthened*, *ſecured*; while we were *impoveriſhed*, *weakened*, *endangered*; that ruinous and deſtructive war, in the proſecution of which, more than 70,000 Britons loſt their lives; more than ſeventy millions were added to the enormous national debt, more than two millions to the annual burthens borne by Britiſh ſubjects, is the cauſe of the preſent unnatural rebellion, which has already occaſioned an increaſe of thirty million to our public debts, and deſtroyed 20,000 of our countrymen, if the accounts of its *advocates* are to be credited!

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Our weakneſs and their power may prove our inability to aſſert our rights, but at the ſame time, they eſtabliſh the juſtice of our cauſe. We are told Great-Britain is ſo much debilitated, ſhe ought not to conteſt any point with the revolted Colonies, even the loſſes and expences occaſioned by their rebellion are urged in ſupport of their claim to Independence. But do not ſuch arguments ſhew the ingratitude of the Americans to their fellow ſubjects in the ſtrongeſt light? Great-Britain has been weakened and the public burdens greatly augmented, by a war undertaken for their defence, *therefore* it is *unreaſonable* to expect any aſſiſtance from them; from the ſame cauſe, they have acquired ſufficient power to erect themſelves into a ſeparate independent ſociety; the ſubjects of Great-Britain *therefore* have no right to expect they ſhould continue a connection which it is their intereſt to diſſolve. "The Americans are a free people, "they are determined to be independent, they "will not be hewers of wood and drawers of "water to any nation upon earth." By theſe ſuggeſtions the leaders of the war at firſt enticed the deluded Coloniſts to take up arms; by theſe they ſtill ſupport the tyranny they have erected, and fruſtrate every attempt toward a reconciliation.

The American rebellion conſidered as an unprovoked premeditated attack on a government which had never given the inſurgents any juſt cauſe to complain, and as a daring invaſion of the peace of ſociety, cannot admit of an excuſe. But the pretenſion to Independence, from which it undoubtedly aroſe, and the arguments advanced in its defence, are the heavieſt aggravations of its guilt, becauſe they are in the higheſt degree injurious to the people of Great-Britain. If a revolt, founded on the moſt manifeſt injuſtice and the baſeſt ingratitude, ſhould terminate in the final eſtabliſhment of Independence, not only the preſent inhabitants of this country, but their *lateſt poſterity* muſt be "hewers of wood "and drawers of water" for the Americans. If the revolted Colonies contain three millions of people, they are nearly one-fourth part of the ſubjects of the Britiſh Empire. When the national debt was contracted, they were all included in one ſociety; but they have now broken the connection, and left the *whole* burden of the debt upon thoſe who remain in ſubjection to Government, though *above half of it* was incurred on their account. When, or in what manner the principal will be diſcharged, I do not pretend to conjecture, but while the debt remains unpaid, the ſubjects of the Britiſh Empire muſt

muſt be taxed to pay the intereſt. Is it poſſible to conceive that the people who performed ſuch prodigies of valour in expelling the French from North America, will tamely ſubmit to be inſulted, contemned, and enſlaved, by the very Colonies they ſo lately reſcued from impending deſtruction? Will they ignominiouſly ſuffer themſelves and their deſcendants to bear the burden contemptuouſly caſt upon them by the ungrateful Americans? Will they become perpetual *tributaries* to their former ſuppliants? Will they ſubmit to be continually taxed, to pay the price of American Independence? Can they bear to ſee this unjuſt pretenſion eſtabliſhed, by a revolt which derives its origin from the glorious exertions of this country in the defence of her rebellious Colonies; which can have no probability of ſucceſs, but from the weakneſs of the ſtate, the violence of faction, or the degeneracy of the Britiſh nation? The ſpirited conduct of the people in various parts of theſe kingdoms muſt afford the greateſt conſolation to the real friends of their country, and at the ſame time convince the leaders of rebellion, that their hopes of empire and conqueſt are built on a ſlender foundation. But their advocates are continually aſking why does not Government make peace with America, what advantage can

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derive from proſecuting the war? To thoſe who *deliberately* began, and *obſtinately* perſevere in this unjuſt, unnatural, and deſtructive conteſt theſe queſtions might with propriety be addreſſed. But when they are propoſed as objections for the friends of Government to anſwer, they are nugatory and abſurd. If a private individual ſhould be attacked by his equal, or by his ſuperior, he would have an undoubted right to repel force by force, and if a ſpectator of the combat ſhould cooly aſk him "what *advantage* "he propoſed to himſelf from continuing the "conteſt," he would juſtly be accounted an idiot or a lunatic. Yet it is certainly *much more* unreaſonable to aſk why Government *defends* itſelf from rebellion? But it is alleged, that Government ſhould have complied with the demands of the rebels, and the diſpute would ſoon have been terminated; i. e. if their claim to Independence had been admitted, the rebellion would have ceaſed. That nothing leſs than this would ever have ſatisfied them, is evident from the whole tenor of their conduct. But let it for the ſake of argument be admitted, that there was a time when relinquiſhing the right of taxation, would have retained them in obedience; is Government to be cenſured becauſe it did not ſacrifice the rights of its ſubjects? Had Adminiſtration

miniſtration conſulted their *private* intereſt, or the *quiet* poſſeſſion of their *places*, it would have been to them a matter of indifference by whom the taxes were paid; and they certainly would have *betrayed* the ſubjects of Great-Britain to appeaſe the American rebellion.

On the ſuppoſition that the only point in diſpute had been, whether the whole weight of taxes ſhould be ſuſtained by the inhabitants of theſe kingdoms, or the colonies ſhould bear their juſt proportion, the conduct of Government in ſupporting their Britiſh ſubjects deſerves the higheſt commendations; but as the rebels *denied* the conſtitutional ſupremacy of Parliament, at the ſame time that they refuſed to be taxed, or to raiſe any contribution, the right of Government, and of its *ſubjects* were equally violated, and it became their common intereſt to unite in oppoſing rebellion.

Notwithſtanding the Americans are the aggreſſors, and have not a plauſible pretext to urge in excuſe for their unjuſt attack on the Government and People of Great-Britain, they obſtinately continue a ruinous and deſtructive war, and diſdainfully reject every offer of reconciliation—To them, therefore, theſe queſtions may with peculiar propriety be addreſſed. Why will you not refrain from ſhedding the blood of your

fellow

fellow-ſubjects? What advantages do you expect to gain by ſupporting your unjuſt pretenſions to independence? It is not from a Delegate to the Congreſs, a Member of a Provincial Aſſembly, or a piratical Commander of an American Privateer, an anſwer to theſe queries is expected; *their* reaſons for purſuing the war need *no explanation*; the advantages they reap from it are the exerciſe of tyranny, and the acquiſition of plunder.—But what benefit do the merchant, the mechanic, the tradeſman, the huſbandman, thoſe reſpectable bodies of men which may juſtly be accounted the *people* of the revolted colonies expect? What have they yet acquir'd? They were perſuaded they were contending for liberty. They were induced to believe their fellow-ſubjects in Great-Britain had conſpir'd with the King and Parliament to enſlave them; that the injuries they ſuffered were too great to be borne; that there was no relief to be expected while they were a *dependent* people: the *appeal to heaven* muſt therefore be made, and "the ſword of the Lord and of Gideon" committed to the hands of their *righteous* defenders, would effect their deliverance.—But how great has been their deluſion and diſappointment! Thoſe rebellious Provinces of the Britiſh Empire in America which enjoyed the higheſt degree

gree of liberty, proſperity and ſecurity, while they continued in ſubjection to our mild and equitable government, now exhibit one gloomy proſpect of horror, deſolation and ſlaughter.—Where are now their increaſing commerce, their thriving agriculture, their improving arts and manufactures! Theſe conſtant companions of liberty and peace are baniſhed from the dreary realms of war. The unhappy Americans behold their wealth diſſipated, and its ſources entirely obſtructed---but they are contending for freedom, and the poſſeſſion of that ineſtimable treaſure will compenſate for greater loſſes than they have yet ſuſtained.—Such indeed is the plauſible pretence by which their leaders have fatally deceived them—but their oppreſſive and arbitrary conduct is a manifeſt detection of the impoſture. Under their deſpotic and uſurped authority, the people experience the complicated evils of ſlavery, unmixed with the benefits of ſubjection.

There is not now any legal government in the revolted provinces; there is not even a *regular* or *conſiſtent* eſtabliſhment of tyranny. Had the Americans been ſubjugated to the imperious domination of a Cromwell, their condition would have been enviable compared with what it is now. They muſt indeed have been obliged to

ſubmit to his will; but ſo long as they had been content to bear his oppreſſion, their lives and properties might have been ſecure: laws would have exerted their due force; individuals would have been reſtrained from injuring their fellow-ſubjects; diſtributive juſtice might have been impartially adminiſtered; crimes and puniſhments might have been defined; the innocent might have been protected, and the guilty puniſhed. How different from this is the capricious adminiſtration of the American deſpots! Continually wavering between the oppoſite extremes of anarchy and tyranny, their abſurd and motley *chaos* of civil authority (for it is not to be called a *ſyſtem*) contains all the heterogeneous principles which are rejected by all well regulated ſocieties, as deſtructive of their exiſtence. Their Conſtitution admits Licentiouſneſs without Liberty, Power without Authority, Subjection without Allegiance or Security, Government without Law.

Though the rulers aſſume abſolute dominion, it has no ſtability, for its exiſtence and its duration depends on the will of the people. Authority and obedience, are equally arbitrary—there is *no law* to reſtrain the former, or exact the latter. There is no bond of union between the people and their governors. Sovereignty

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and ſubmiſſion are alike unacknowledged. The moſt ſevere oppreſſion may be and *actually is* exerciſed, though the ſlighteſt obedience cannot be demanded.

Do the armies of the Free and Independent States require a ſupply of food or raiment? They produce an order from Congreſs, or a Provincial aſſembly, to ſeize the neceſſaries of life from the peaceful inhabitants of the diſtricts through which they paſs. The cruel mandate muſt be obeyed, though famine or nakedneſs ſhould be the immediate conſequences. "The cauſe of liberty requires it!" If recruits are wanted the ſame juſt and mild meaſures are purſued.—A decree is iſſued from the Congreſs or their generals—the *dead* letter of the law cannot indeed inforce it, but a body of armed men, the *living law* of their *ſtate*, is ſent forth to *compel* the people to fight for their liberty. If they are ſo fond of ſlavery, asto prefer ſtaying at home, and are ſtrong enough to carry their point by reſiſtance, they immediately declare themſelves *independent* of their rulers, make *an appeal to Heaven*, and oblige the champions of liberty to retire. This has been frequently the caſe, ſince the commencement of the rebellion, and is the neceſſary conſequences of the principles on which it is founded.

The Americans were told by their leaders, that ſubjection is ſlavery—that ſupreme power is inconſiſtent with liberty—that it *ought* to be *reſiſted* becauſe it *may* become oppreſſive. How are theſe deceivers condemned by their own arguments! If it is juſt in *them*, to revolt againſt the Conſtitutional authority of the *Britiſh Parliament*, through *fear* of oppreſſion how much ſtronger reaſon have the American people to reſiſt that *uſurped deſpotic power* by which *they are actually* oppreſſed! From the *pretended aſſertors* of freedom, the property, the liberty, the lives of the people are continually in danger; the ſlighteſt offence, nay even the moſt diſtant *ſuſpicion* of criminality is a ſufficient argument with them, to juſtify confiſcation, impriſonment, and even death itſelf.—It ſeems as if they *created* crimes, on purpoſe to inflict puniſhments.—To refuſe taking a *worthleſs* piece of paper in exchange for *real* property—to croſs a river—to converſe with a neighbour—to correſpond with a friend—to viſit a parent—a child or a wife even in their laſt moment, have been, by theſe merciful legiſlators, deemed capital offences. An action or a word which is *innocent* to day, may to-morrow be pronounced deſerving of death! To Britons a bare relation of the tyranny practiſed in the revolted

revolted Colonies muſt appear incredible, did not the inconteſtible evidence of facts, and the fatal experience of many of our countrymen afford melancholy proofs of its veracity.—Such is the *preſent* ſtate of Liberty and Independence in America! Theſe are the *benefits* they have *already* obtained by rebellion. What further *advantages* are they likely to gain? It is pretended that the laſt campaign has been ſucceſsful to them—that their arms have been triumphant—and that they can never be reduced to acknowledge the authority of the Britiſh Government. If this is *really* the caſe, it is the greateſt misfortune that can poſſibly happen to them; becauſe victory would eſtabliſh the tyranny of their oppreſſors and rivet the fetters of their ſlavery. But when the account is fairly and impartially ſtated the advantages will appear to be manifeſtly in favour of Britain.

The defeat of General Burgoyne, circumſtanced as he was, and ſurrounded with ſuch ſuperior force, cannot afford the Americans any juſt cauſe to exult. It is true the Congreſs ſeen well diſpoſed to make the moſt of this advantage by *perfidiously* refuſing to fulfil the conditions which the determined reſolution of the Britiſh General, and the undaunted valour of his troops obtained from a generous adverſary.

adverſary. It was prognoſticated that the victory obtained over General Burgoyne, would be immediately ſucceeded by the defeat of General Howe and the ſurrender of New York. But the event has proved the falſity of theſe predictions. When the vagrant Congreſs ſtole away from Philadelphia, when their invincible army fled before the victorious troops of Britain, and her triumphant banners were diſplayed in the capital of their Empire, they were too buſily employed in conſulting their *ſafety* to celebrate the glorious ſucceſs of the laſt campaign.

But if the event of war had been as favourable to them as they pretend; if they could derive effectual aid from the power of France; if the Congreſs could accompliſh all they propoſe in their inſtructions to their emiſſaries; if the commerce of the weſtern world could be transferred from Great Britain to France; and if we ſhould have the mortification to ſee all our American dominions divided between our ungrateful Colonies and our natural enemies, the people of America could not derive any advantage from theſe events, though Britain would ſuſtain an inſeparable injury. The antient hereditary enmity between the Engliſh Americans and the French, can never be forgot;

no laſting or ſincere amity can ſubſiſt between them. Their alliance being unnatural, muſt be of ſhort duration; from the moſt trivial cauſe diſſentions would ariſe and break this

" Monſtrous league of amicable ſpite."

Miſtaken ideas of intereſt on the one ſide, and ambition on the other, may induce them to unite in oppoſition to Great-Britain, but the Americans can never eſtabliſh Independence by ſuch an aliance. When revolted ſubjects obtain the aſſiſtance of a powerful nation to ſupport their rebellion, all they can expect from ſucceſs is *a change of maſters.*

Hiſtory abounds with examples of ſuch revolutions, and the operation of ſimilar cauſes would, in the preſent inſtance, produce ſimilar effects. If antient inveterate hatred could be eradicated, intereſt and ambition, ſupported by power, would break the moſt ſolemn treaties. Friendſhip, fidelity, gratitude, are *private* virtues, and can ſcarcely exiſt between ſeparate communities. If in any inſtance their influence could have been exerted on public bodies, the American Colonies would not have engaged in this unnatural and moſt *ungrateful* rebellion. Should they ſucceed in their endeavours to engage France in the war, they will in their turn experience the fatal effects of national perfidy.

They

They will ſee the alliance broken by France as ſoon as the deſign of its formation ſhall be accompliſhed. They *know* it is eaſy to *palliate* treachery or injuſtice, and they will find by experience, that this knowledge is not confined *to them alone*. The Congreſs are ſenſible France muſt be recompenſed for her aſſiſtance; they have even *hinted at the particular rewards they intend to aſſign her; but perhaps when the buſineſs ſhall be accompliſhed, France will demand *more* than the Americans will be diſpoſed to give; hence mutual complaints and diſſentions will ariſe; the confederacy will be broken, and their allies will become their conquerors.

Exemption from the Government of Great-Britain cannot poſſibly be productive of any advantage to the revolted Colonies. If it ſhould be effected by foreign aid, they muſt be in *ſubjection* to the arbitrary power of their *inveterate enemies*. If it ſhould be accompliſhed by themſelves, they will be enſlaved by their *domeſtic oppreſſors*. To this dreadful alternative they muſt inevitably be reduced, by an obſtinate perſeverance in their unjuſt rebellion, even if it ſhould be attended with ſucceſs.

If it could poſſibly be ſuppoſed that the Government and people of Great-Britain could ever

* See Copy of Inſtructions, &c. P.

ever be ſo compleatly diveſted of honour, magnanimity, and underſtanding, as to acknowledge the high ſounding title of "free and independent ſtates," which the Americans have aſſumed, it would not be in *their* power to ſupport it.

The ſeveral provinces which are now combined in oppoſition to Government have no ties to connect them, but their *rebellion* and the tyranny of their rulers. If the Britiſh forces were withdrawn; if Britain itſelf were buried in the ſurrounding ocean, the Colonies could not be either *free* or *independent*. Each province has a ſeparate intereſt to conſult, inteſtine diviſions to appeaſe. Where ſuch cauſes of diſſention prevail, *union* can only be the effect of a conſtraint which is totally *incompatible* with *freedom*. Should the armies now employed in the deſtruction of our countrymen be diſbanded on the return of peace, and ſhould the preſent deſpotic rulers make a voluntary ſurrender of that power they have ſo induſtriouſly laboured to eſtabliſh, the bond of union would be inſtantly diſſolved. Tyranny might be ſucceeded by anarchy and civil diſcord, but freedom and independence would be far remote.

The bleſſings which the Americans have forfeited by their ungrateful rebellion, can only

be regained by ſubmiſſion to the conſtitutional authority of the Britiſh Government. As dependent Colonies their domeſtic tranquility may be ſecured, their foreign enemies kept in awe their commerce protected, and their liberty reſtored.

Britain has long ſolicited them to accept her friendſhip, and put an end to a deſtructive and ruinous conteſt. In ſuch a war no advantage can be gained by either party; the *reciprocal ſlaughter* of *Britons* and *Americans* ought to be *mutually* lamented; and our victories only afford us this conſolation, that they may be the means of accompliſhing the deſireable event of peace. To obtain it great conceſſions have *already* been made; ſtill greater are *now* offered, the Legiſlature ſacrifices its conſtitutional prerogative, and the people their *undoubted rights*, to appeaſe the deſtructive rage of civil diſcord. If this valuable ſurrender ſhould fail to produce the deſired effect, all thoughts of further treaty will be vain, unleſs it ſhould be judged expedient to reward ungrateful Rebellion with unlimited Independence.

By the clamorous advocates for the American cauſe, it is pretended, " that Great-Britain " would not be a ſufferer by allowing the claim

" of

" of Independence; for as taxation is given up, " we cannot derive any advantage from their " ſubjection. If we enter into alliance with " them as independent ſtates, we ſhall have " the *benefit* of their commerce." Nothing can be more abſurd and fallacious than this mode of reaſoning. How different was the wiſe and provident conduct of our anceſtors! They ſaw the neceſſity of *preventing* the Colonies from *rivaling* the parent ſtate in manufactures and commerce; and the inſtructions to Mr. Locke and others, afford evident proofs of their reſolution and ability to avert the impending danger. They did not ſcruple to exerciſe the juſt and conſtitutional authority of Parliament over the Colonies, when they knew the *intereſt* of Great-Britain required its exertion. Had their wiſe and prudent conduct been imitated in every ſucceeding reign, the dependence of the Colonies would not *now* have been a ſubject of *debate*. Are they to be ſet free from the authority of Parliament at a time when its exertion is indiſpenſably neceſſary to our *exiſtence* as a nation? Is it juſt to allow them Independence becauſe they have acquired *ſtrength* by our *aſſiſtance*, and becauſe we have *weakened* ourſelves by *defending* them? If the undoubted right of taxation is renounced to obtain a reconciliation, there is

ſtill ſtronger reaſon to preſerve the authority of Parliament in other reſpects *unimpaired*. The only recompence Government can make its Britiſh ſubjects, is a vigorous and determined perſeverance in oppoſition to the claim of Independence. If it could poſſibly be eſtabliſhed, it would be productive of more fatal conſequences to this nation, than the moſt unſucceſsful war. In a very ſhort time we might probably experience a great decline in *arts*, *manufactures*, and *commerce*. The untaxable independent Colonies would leave us nothing but the empty pageantry of former greatneſs, the viſionary ſhade of departed empire. They would be ſucceſsful rivals to this ruined nation in every manufacture, every branch of commerce, from which the conſtitutional authority wiſely and juſtly veſted in Parliament for the immediate preſervation of the parent ſtate, has hitherto reſtrained them. Every foreign market would be equally free to them as to us, and the *enormous taxes intailed* upon us, would in a great meaſure produce the effect of *bounties* to the Americans. This cauſe alone would effectually deſtroy our commerce; though it might languiſh for a time, and at length expire by a gradual and lingering decay. But the Independence of America would effect its diſſolution by means more

more *ſudden*, more *violent*, and equally *certain*. The alarming emigration of our moſt uſeful inhabitants to the Colonies, ſince the concluſion of the laſt *glorious* but *fatal* war, is well known and been frequently lamented. How greatly will this evil be increaſed by the Independence of America? Can it poſſibly be conceived that artiſans, tradeſmen, and manufacturers, thoſe *independent* members of ſociety, who earn their ſubſiſtence by the labour of their hands, whoſe *property* being inſeperable from their *perſons* cannot be confined to any peculiar place of abode, will continue in a country where they are *oppreſſed* with *innumerable* taxes and can ſcarce obtain a ſcanty pittance for themſelves, when they ſhall be *invited* to ſettle in America, where the *ſame* general cuſtoms and language prevails, the *ſame* arts, trades, and manufactures will be *newly* eſtabliſhed, where *freedom from the heavy burden of taxes laid upon this nation, will afford them this *double* advantage, that the price of their labour will be *augmented*, and the expence of their maintenance *decreaſed?*

The

*It may be alledged that the Americans, though independent, muſt be taxed to defray the expences of this war. But their taxes could not at their firſt eſtabliſhment be *near ſo heavy* as ours, and their increaſing trade and population would be conſtantly diminiſhing *their* burden, while the utmoſt *we* could hope for, would be not to increaſe the weight of ours.

The ruinous conſequences that muſt enſue to Great Britain from allowing the unjuſt demand of the revolted Colonies are ſufficiently obvious. But it may be ſaid "if they cannot "*ſupport themſelves* as Free and Independent "States, we can ſuſtain no injury by admit-"ting their claim." This is by no means to be inferred; on the contrary, the danger to this country may be ſtill *more* alarming. If they are unable to ſupport their Independence, they can apply to France for aid. From her alliance they hope to receive the greateſt advantages; and though they would probably be deceived in their expectations, the conſequences muſt be fatal to this country.

Before Government renounces its conſtitutional authority over the Colonies, it muſt renounce all pretenſions to *reaſon* or *juſtice*.

Its Britiſh ſubjects would have ſufficient cauſe to complain; but how greatly would its *numerous adherents* in the revolted Provinces be injured! Theſe unhappy men have long been ſeverely perſecuted for their fidelity, though the fear of *retaliation* and the *preſence* of the *royal armies* are great reſtraints upon the cruelty of their enemies. But by the eſtabliſhment of Independence theſe obſtacles will be removed, and the *faithful* ſubjects of the Britiſh Govern-

ment

ment will be *meanly deſerted*, and cruelly ſacrificed to the vindictive fury of triumphant rebellion.

If the favourable conditions now offered by Government to the revolted Colonies can induce them to return to their allegiance, every friend to Britain, to America, to liberty, and to humanity, muſt rejoice at ſo deſirable a termination of this ungrateful, unprovoked, and impolitic rebellion. But if the *leaders* of the revolt will not renounce *their pretenſions* to Independence, *unavoidable neceſſity* requires, and will juſtify a reſolute and vigorous proſecution of the war, till the conſtitutional authority of the Britiſh Government is fully acknowledged in every part of its dominions.

Our reſources are *much greater*, our ſufferings *conſiderably leſs* than thoſe of the rebellious Colonies. Even in *America* we ſtill poſſeſs an Empire too *powerful* for their *united* force to ſubdue. The dread of a war with France and Spain (even if there is real cauſe to apprehend ſuch an event) cannot be any additional inducement to acknowledge the Independence of the revolted Americans. So *evident* and ſo *diſgraceful* a proof of our weakneſs and timidity, would rather *promote* than reſtrain their hoſtile intentions.

If

If UNANIMITY prevailed at home, we ſhould have little reaſon to fear the combined force of our foreign enemies.

The preſent is allowed, by all parties, to be a time of *national calamity*; public misfortunes ſhould not be aggravated by *private* animoſities. If thoſe great and reſpectable members of the Legiſlature who have with ſuch cordial unanimity and undeviating conſtancy oppoſed the meaſures of Government, and ſo powerfully ſupported the American cauſe, were induced to purſue this conduct from a real conviction of its rectitude, they have abundant reaſon to be ſatisfied with the ſucceſs that has attended their endeavours. They concurred in opinion with the Americans that Parliament had no conſtitutional authority to demand, nor the people of Great Britain any juſt right to expect, any aid or contribution from the Colonies—that they ſhould not be obliged to pay the expences of their own civil Government. Adminiſtration entertained different ſentiments; they conceived the American rebellion to be a manifeſt violation of the Conſtitution, and an invaſion of the rights of *all the ſubjects* of Great Britain, and they thought it was their duty to *repel* this unprovoked attack. If they had imbibed miſtaken notions of the Conſtitution, or falſe ideas of juſtice,

juſtice, they may at leaſt derive ſome conſolation from theſe reflections, that the illuſtrious founders of the Conſtitution and their deſcendants, invariably acted upon the *ſame* principles, and that their *rectitude* never was doubted till the reign of his preſent Majeſty. Perhaps they ſtill entertain the ſame ſentiments, though *experience* may have convinced them that it is in vain to contend with the *Americans* when they are ſo *powerfully* aided by the leaders of oppoſition. Whether the latter have ſucceeded by the weight of their arguments, the force of their eloquence, or the vigour of their conduct is of little conſequence; it is ſufficient that they have gained the victory, and have obliged the Legiſlature to renounce the *right* of taxing America. But however they differed from adminiſtration in other reſpects there is one opinion in which they have always been unanimous.

Both parties have invariably aſſerted that the claim of American Independence never ſhould be admitted. It behoves the members of oppoſition to unite with adminiſtration in ſupporting with the moſt invariable conſtancy, the moſt determined reſolution, thoſe meaſures of which *they themſelves* have declared their

approbation. Ill would it become the inflexible champions of patriotiſm who are continually ridiculing the inconſiſtency of adminiſtration to deſert their *own principles* in the day of trial.

If the concilatory propoſals which are offered to the Americans by the *general* conſent of the Legiſlature, ſhould be rejected, the important conteſt between Great-Britain and her revolted Colonies muſt be finally decided by the ſword. It is on *unanimity* alone our hopes of future ſucceſs muſt depend. Adminiſtration and oppoſition have hitherto concurred in *aſſerting* the dependence of the Colonies, however they differed in other reſpects. It behoves them therefore zealouſly to unite in *defending* a claim they both allow to be juſt.

Other ſubjects will afford abundant matter for debate. If the *meaſures* of Adminiſtration are *weak*, if the *war* is *ill conducted*, it is the duty of oppoſition to point out where the fault lies, and how it may be amended. They will prove themſelves to be *real* Patriots, and deſerve the *thanks* of their countrymen, if they ſacrifice private animoſity to the good of the public; and ſteadily concur with Adminiſtration in vindicating the rights of the Britiſh people and Government. If they can propoſe any more eligi-

ble

ble plan for profecuting this juſt and neceſſary war with ſucceſs, it is the duty of Adminiſtration to purſue it.

However their opinions may differ reſpecting the moſt probable *means* of ſupporting the ſupreme conſtitutional authority of Parliament over every province of the Britiſh empire, the people have an undoubted right, to expect they ſhould at leaſt be unanimous in this one point, that it ſhould never be renounced.

APPENDIX.

THE writer of the preceding ſheets, did not ſee Mr. Pulteney's pamphlet, intitled "Thoughts on the preſent ſtate of affairs with "America," till the 5th Edition had been publiſhed, and 120 pages of his own manuſcript had been actually printed. He hopes the candid public will admit this to be a ſufficient reaſon for his apparent neglect to notice a performance ſo eminently and juſtly diſtinguiſhed by their regard. But though he highly reſpects the abilities, the candor, and the moderation of the author, and has peruſed his work with the moſt deliberate and unprejudiced attention, he has the misfortune to differ widely from him in opinion reſpecting the important conteſt between Great-Britain and the revolted Colonies. It appears to him that he has, in the preceding "Appeal," *minutely* conſidered the principal arguments inſiſted on in this celebrated performance, and that he has attempted to eſtabliſh opinions directly the reverſe of thoſe which it is intended to ſupport. How far he has ſucceeded in this attempt he reſpectfully ſubmits it to the candid and impartial public to determine.

As a direct anſwer to Mr. P's pamphlet would contain little more than a repetition of what he has *already* written on the ſubject; this addition will only conſiſt of remarks on particular paſſages where any new matter ariſes, and occaſional references to the "Appeal."

Reſpecting the ſubject of repreſentation, Mr. P——y obſerves (P. 17) that the reaſon which obliges "the unrepreſented part of Eng-"land to pay taxes, will not apply with reſpect "to America;" and in the next page he explains this reaſon to be "the univerſality of "taxation." "The uſage of Parliament is "(he informs us) to impoſe *all* taxes in a *gene-*"*ral* manner, ſo as not to tax any particular "diſtrict, or part of the kingdom, while other "parts are not taxed, but impoſes the tax, &c." ſee P. 18. This he exemplifies in the Land and Window taxes, which, he juſtly obſerves, are *general* taxes on all Land and Windows in England, wherever ſituated. "In *like* manner (he "ſays) the Malt Tax is not impoſed on the "malt made in one county alone, but on all "the malt made in England." The duties of "Cuſtoms affect the importation and exporta-"tion of goods at every place, and the duties "of Exciſe extend to all exciſeable goods in "every part of the kingdom." But ſo far

is it from being true that *all* taxes levied in Britain *are general*, or affect all *equally*, that in the particular inſtance of the *Malt* duty, and the *Exciſe* on *Beer*, the reverſe is evidently the fact.

It is not indeed *expreſsly aſſerted* in the acts impoſing theſe taxes that the inhabitants of ſome particular counties *ſhall pay* a tax from which thoſe of other counties ſhall be exempted, yet if that is the neceſſary and unavoidable conſequence of theſe acts, as it undoubtedly is with the reſpect to the Beer and Cyder counties, how can ſuch taxes be called *general?* But if it ſhould for argument's ſake be admitted that there was *no ſuch thing as partial taxation* in England, and for that reaſon Parliament has no right to tax the Americans; might it not with equal reaſon and with much greater truth be aſſerted, that there is no ſuch thing as *partial Legiſlation* in Britain; the Legiſlators are obliged as individuals to *obey* thoſe very laws they in a collective body enact for Britain, but that is not the caſe with reſpect to America; therefore the Britiſh Parliament has *no right* to make *laws* for America. The Argument is certainly concluſive in the *laſt* caſe, if it is in the *firſt*, and American *Independence* would be effectually eſtabliſhed by *this* mode of reaſoning.

Virtual

* Virtual repreſentation is undoubtedly the baſis of the Britiſh Conſtitution. If it is admitted that the Colonies are not virtually repreſented, and therefore Parliament has no right to tax them, it muſt neceſſarily follow that for the ſame reaſon it has no right to make laws for them. The Houſe of Commons is therefore, as the Conſtitution ſuppoſes, the virtual repreſentative of the Colonies, or as the leaders of the rebellion aſſert, "a junto of unauthoriſed, un-"acknowledged individuals," who have no right either to tax them, or make laws to bind them in any caſe whatever. The leaders of the rebellion therefore declared the Colonies to be *independent* of the Britiſh Parliament, when they denied the right of Parliamentary taxation. They accompanied this negation with profeſſions of loyalty to the King, but at the ſame time *they knew* the Britiſh Conſtitution did not admit that the King could have any ſubjects which were independent of Parliament. The *principle* therefore on which the rebellion was *began*, is itſelf an explicit *declaration of American Independence*. (See Appeal, where this argument is in various places particularly inſiſted on.) Had the Americans been induced to take up arms for redreſs of grievances, their conduct would

* See Appeal, P. 9, 19, 30, 52, 100, to 107.

would have been very different. They would have admitted that Parliament had by the Conſtitution an undoubted right to tax them, but at the ſame time they would have repreſented the hardſhips and oppreſſions *they had endured* from the exerciſe of this power, and would have ſuggeſted ſome plan by which the people of Great-Britain ſhould have been ſatisfied that the Colonies would *actually* contribute their juſt proportion towards the common burden of taxes, on condition that Parliamentary taxation ſhould be renounced. (See Appeal, p. 108.) But ſo far were they from purſuing this conduct that they rejected theſe favourable terms which were voluntarily offered them by Government, and declared them to be *inſidious*. Nothing but a premeditated deſign to throw off all ſubjection to the Britiſh Government can account for the meaſures which have been invariably purſued by the leaders of rebellion.

Mr. P. has too much regard for truth to aſſert that the exerciſe of Parliamentary taxation ever *has been* oppreſſive to the Colonies. The moſt that can be inferred from his arguments, if they are admitted in their fulleſt extent, is that this power *may* be abuſed. The ſame objection may be made againſt any government. Yet this is the only plea which the advocates of America ever

ever have, or ever can urge, to excuſe this unjuſt rebellion. (See Appeal, p. 104.) America and Britain are involved in the horrors of civil war, not becauſe the *Colonies have been*, but for fear *they ſhould be* oppreſſed by the Britiſh Parliament!

Mr. P. in the 26th page of his pamphlet ſays, "It ſeems to me that America under ſuch a "ſyſtem, muſt have ſtood in the ſame ſituation "with reſpect to this country, in which the "people of England would have ſtood with re-"ſpect to the crown, if the claims of Charles "the firſt to levy money by his own authority "had prevailed." Let us ſee how far the caſes are parallel. Charles the Firſt *aſſerted* that he had a right to raiſe money on his ſubjects by *his own authority*; that this was his *prerogative*, which he *would not* on any account give up; and his people *were* grievouſly oppreſſed by its exertion.

The Britiſh Legiſlature have by the *Conſtitution* an *undoubted right* to exerciſe the power of taxation and legiſlation in *every* part of the *Britiſh dominions*, (Ireland excepted) and they have *voluntarily offered* to **renounce* the right of taxation with reſpect to the Colonies, who never had *been oppreſſed* by the exerciſe of it. It is

 ſubmitted

* See Propoſals offered to Congreſs in 1775.

ſubmitted to the diſcernment of the public to diſcover the reſemblance.

Mr. P. ſays, (p. 27) " Our own hiſtory proves " that the conduct of thoſe great defenders of " freedom who eſtabliſhed the Revolution, was " not a little deſpotic with reſpect to America."

In the preceding Appeal I have endeavoured to prove that the conduct of theſe illuſtrious champions of liberty, with reſpect to the Colonies, can only be vindicated on this principle, that the Houſe of Commons is the *virtual* repreſentative of all the commons in the Britiſh empire; " that the inhabitants of the American " Colonies in the plaineſt and cleareſt manner " acknowledged themſelves to be virtually re- " preſented in Parliament, ſince they actually " transferred their allegiance from James the " Second, to William the Third, in obedience " to its decrees;" and " that the Revolution " cannot be juſtified, or conſidered as the act " of the whole community without ſuppoſing " the Colonies to be virtually repreſented in " Parliament."

This ſubject is ſo frequently treated of in the preceding Appeal, that it is unneceſſary to refer to any particular paſſage.

Reſpecting virtual repreſentation ſo much has already been ſaid, that it would appear needleſs to

to add more if there was not one argument on which Mr. P. lays very great ſtreſs, and which if paſt by *unnoticed*, may be deemed *unanſwerable*. It is this. * " Thoſe Britons who do not " vote, are all inhabitants, and as ſuch are *vir-* " *tually* repreſented; but the Americans not be- " ing inhabitants of Britain, are not virtually " repreſented."

For an anſwer to this argument, I beg leave to make a general reference to the " Appeal," where I have endeavoured to prove, " that the " Houſe of Commons at the time of the glori- " ous Revolution, acted in the capacity of *truſ-* " *tees, delegates, virtual repreſentatives* of the " collective body of people *inhabiting the va-* " *rious parts of the Britiſh empire.*"

If the objection under preſent conſideration had not, at the time of the Revolution, ſufficient weight with the *Coloniſts* to prevent them from *renewing* a ſocial compact with the inhabitants of Great-Britain, by which they in the ſtrongeſt and fulleſt manner acknowledged themſelves to be *virtually* repreſented in Parliament, it certainly cannot *now* be deemed a reaſon for *annulling* that agreement.

But the conſideration that the Americans and Britons are *not* inhabitants of the ſame country,

* See 29th Page of Mr. P's. Pamphlet.

is, in my opinion, ſo far from being an *objection* to the virtual repreſentation of the Colonies, that it is one of the *ſtrongeſt arguments* in its *favour*.

The inhabitants of Great-Britain and of the Britiſh Colonies in America have always been conſidered as *one* community, till the commencement of the preſent rebellion. Had the people of which this community conſiſts been *all* inhabitants of Great-Britain, their connection would not have been the effect of *choice*, but of *neceſſity*, and the *ocean* which encompaſſes our iſland, would have been a natural and indiſſoluble bond of union. But the *ſame cauſe* which obliges the inhabitants of this country to unite, ſeparates them from the inhabitants of the Colonies. By the Revolution, all former ties between the inhabitants of Britain and the Colonies were diſſolved.* Divided from each other by a wide ocean, they might *then* have formed ſeparate *independent* ſocieties; but they conceived it to be more conducive to their mutual advantage to be included in *one* community. As they were *not inhabitants* of the ſame country, they had *no natural* bond of union; they therefore *mutually* bound themſelves to each other, by *a ſocial compact*, which is their agreement to abide by the *Conſtitution*,

* See Appeal, P. 83.

Conſtitution, or form of government eſtabliſhed at the Revolution, and as it is demonſtrably evident that the Britiſh Houſe of Commons is, by that Conſtitution, declared to be the virtual repreſentative of all the Commons in the Britiſh empire; it neceſſarily follows, that the Colonies by *voluntarily conſenting* to be incorporated with this *great community*, have in the ſtrongeſt manner *acknowledged themſelves* to be virtually repreſented in Parliament.

Beſides if it is admitted that the Coloniſts not being inhabitants of Britain, are not virtually repreſented, Parliament has no right either of taxation or legiſlation. If they are not *virtually* repreſented in the Britiſh Parliament, they muſt be on the principles of the Conſtitution *totally independent* of the Britiſh Government. There is not, there cannot be, any alternative.

As this ſubject has been ſo largely treated of in the preceding Appeal, it is unneceſſary to ſay more in this place.

Though I fear I have already treſpaſſed too much upon the patience of my readers, and am therefore extremely deſirous of haſtening to a concluſion, I cannot omit taking notice of the following paſſage which occurs in the 29th page of Mr. P's pamphlet. " It is well known that " the loweſt claſs of people in America are " taught

" taught to read, and that publications concern-
" ing public matters, which being *untaxed* are
" cheaper there than here, are univerſally diſ-
" perſed. In ſuch a country it was eaſy to
" intereſt every man from the higheſt to the
" loweſt in a queſtion of ſuch infinite im-
" portance to all, and this ſeems to account
" ſufficiently for the united and perſevering
" reſiſtance they have hitherto ſucceſsfully
" made."

The numerous adherents to Government even in the *revolted* Provinces who retain their loyalty unſhaken in ſpite of the moſt ſevere and cruel perſecutions—the number of provincial troops *actually employed* in the royal armies, the many ſignal victories obtained by the Britiſh forces, and the wretched condition to which the agriculture, the commerce, the finances, the *navy* and the armies of the rebels are now reduced, are but very equivocal proofs of the *union* and *ſucceſs* with which the American rebellion has been attended. And the * *total deſtruction* of the liberty of the preſs which was the prelude to the revolt, affords the ſtrongeſt reaſon to believe that its leaders were themſelves convinced of the injuſtice of their cauſe.*

I have

* For a particular account of the cruelty and tyranny exerciſed upon thoſe who preſumed to queſtion the rectitude of the conduct

I have endeavoured to prove in the preceding Appeal, that the ſole and real object of the leaders of the rebellion was to throw off all ſubjection to the Britiſh Government, and under the pretence of ſupporting American Independence, and aſſerting the *liberties* of the people to eſtabliſh the ſyſtem of tyranny which now prevails in the revolted provinces.—I have alſo attempted to demonſtrate from the principles of the Conſtitution, that the *denial* of the ſupremacy of Parliament (which was the avowed cauſe of the rebellion) is in itſelf an actual declaration of Independence. It is therefore unneceſſary to conſider in this place the reaſons alleged by Mr. P. from page 29 to 43, to prove that Independence of the Britiſh Government

conduct of the American inſurgents, ſee Anſwer to the Declaration of the American Congreſs, notes to the 6th and 7th pages, from the laſt of which the following is extracted. "Two "men there were, *and but two*, [Rivington and Mein] who "dared to exerciſe, or even to avow their intention of ex- "erciſing their employment with *any degree of impartiality*, What was their fate? The one ſaw his houſe broken open "—his papers ſeized—his implements deſtroyed, or car- "ried off;—*both* were driven out of the country by actual "violence, and the dread of THREATENED ASSASSINA- "TION!" From this inſtance alone, we may eaſily gueſs what kind of *information* the American people were likely to gain by knowing how to read.

was

was *not* at firſt thought of by the leaders of the war. If the arguments advanced in the " Ap- " peal," (to which I requeſt the reader to re- fer) are deemed inconcluſive, I muſt be con- tent to reſign the cauſe to an abler advocate.

The allegations that Government has op- preſſed the Americans by various acts of ar- bitrary power, have been ſo minutely examined and ſo clearly and ably diſproved in " the An- " ſwer to the Declaration of the American " Congreſs," that it ſeems extraordinary they ſhould now be urged as palliatives of this un- juſt rebellion, and it is unneceſſary to take any further notice of them.

I therefore proceed to the 43d page of Mr. P's pamphlet, where he obſerves that " it will " alſo appear that by the ſyſtem adopted with " reſpect to the Colonies in eſtabliſhing a mo- " nopoly of their trade, we had in fact ex- " acted from them a *proportion* of the public " burden."

The ſyſtem of laws by which the trade of the Colonies is in many inſtances reſtrained to the parent ſtate, was not adopted with a view to injure the Colonies, or to raiſe contributions on them, but merely to prevent them from injuring us; neither does it eſtabliſh a general *monopoly* of their trade. There are many ar- ticles

ticles in which their trade with other nations was not reſtrained, and for ſome of thoſe which they were obliged to ſend to England, they received *bounties* on importation as Mr. P. himſelf acknowledges. Beſides this ſyſtem has prevailed ever ſince the *firſt* eſtabliſhment of the Colonies. We have ſeen what ample powers were given to the council of trade in the reign of William the IIId.*. Yet it does not appear that the Americans *complained* of theſe reſtrictions, or even eſteemed them oppreſſive or ſevere.

But if the reſtraints laid upon their trade are in any degree equal to the proportion they *now* ought to bear of the public burden, how greatly muſt they have *exceeded* that proportion in former reigns, before ſuch immenſe charges had been incurred by Great Britain in their ſupport, ſuch enormous debts contracted in their defence.†

Mr. P. indeed ſeems convinced of his miſtake in aſſerting that the reſtraints on their trade are equal to their proportion of the public burden. "Ought they not then (ſays he in p. 45) "to contribute to the burdens of the ſtate? "*They certainly ought*, and by the reſtrictions "impoſed on their trade, they certainly do con-

* See Appeal, P. 124 and 125.

† See Appeal, P. 128.

" tribute very largely ; *but perhaps they do not*
" *contribute their full proportion.* The long
" poſſeſſion of their excluſive trade has given
" ſuch advantages to the Britiſh manufacturers,
" that they are now able to furniſh a great part
" of our manufactures to the Americans,
" cheaper than they could be purchaſed elſe-
" where, and therefore the confining the Ame-
" ricans to take theſe from us is *no hardſhip*
" upon them, and is in truth unneceſſary for
" us."

If this is really the caſe, if they can purchaſe the articles they ſtand in need of cheaper from England than they can elſewhere, reſtraining them to do it cannot be *any hardſhip* upon them, and conſequently they cannot be ſaid to contribute the *leaſt ſhare* to the *public burden*, by *being obliged* to take off our manufactures at a *cheaper rate* than they could buy them elſewhere. If they were obliged to purchaſe of us at a *dearer* rate than the ſame articles are ſold at other markets, the *advance* in the price of theſe articles might be conſidered in the light of a tax, or *contribution* to us. It is not I apprehend in taking our manufactures, but in being obliged to *bring us* their commodities that they contribute to the public burden, becauſe we derive a profit from the re-exportation

tion of theſe commodities, which if they were not reſtrained from trading with other nations, would certainly accrue to them. They contribute to the public burden by trading with us juſt ſo much as they pay *more* for our goods or receive *leſs* for theirs than they would do at other markets, and no more. In all other reſpects the commerce between Great-Britain and the Colonies is as free as that between any other nation.

That this commerce has been greatly advantageous to them is evident from * " their rapid " increaſe in wealth and population," previous to the breaking out of this fatal rebellion; and it is equally true that it has been productive of very beneficial conſequences to this country, and that the Americans by ſubmitting to Parliamentary reſtrictions impoſed upon their trade, have in a conſiderable degree alleviated the public burden, though on the other hand it muſt be allowed even by their warmeſt advocates, that they have never borne that proportion of it which the inhabitants of Britain have a juſt right to expect they ſhould bear.

It was a duty incumbent on thoſe intruſted with the conduct of public affairs to demand this proportion from them, and the only *conſtitutional* means of enforcing this demand was by Parliamentary taxation. The following propoſition

* See Appeal, P. 128.

contained in the 45th and 46th pages of Mr. P's pamphlet, is by no means admiſſable. "But "I would wiſh to know (ſays he) if we might "not ſafely truſt that ſuch contribution would "be chearfully granted by their own aſſemblies "as is done *in Ireland*. There is certainly *no-* "*thing unconſtitutional* in that mode of obtain- "ing a contribution from part of the empire, "otherwiſe Ireland would not have been ſo "long exempted from Parliamentary taxation." The fallacy of this argument is almoſt too evident to require detection. Ireland is a ſeparate kingdom, though it is governed by the ſame King as Great-Britain, and the diſtant provinces of the Britiſh empire. It has a Legiſlature *within itſelf*, conſiſting of a *Houſe of Peers* who ſit in their *own right*, and a Houſe of Commons which is the repreſentative of the people of Ireland. The inhabitants of Ireland therefore are *not virtually* repreſented in the Britiſh Parliament, and *for that reaſon* they are exempted from Parliamentary taxation. Ireland is exactly in the ſame ſituation as Scotland was before the Union; but it will not ſurely be ſaid that any of the American Colonies are ſo circumſtanced.

On the principles of the Conſtitution the Britiſh Houſe of Commons is the virtual repreſentative of all the Commons in the Britiſh empire; on this the right of *Legiſlation* as well as *taxation* undoubt-

undoubtedly depends, and any objection that can be urged againſt the latter, is of equal validity againſt the former. This argument has been already frequently inſiſted on, and it demands the moſt ſerious attention, becauſe it evidently proves, that the *principles* on which the Americans pretend to *juſtify* their refuſal to be taxed by the Britiſh Parliament, are infinitely more *injurious* to the people of this country, and more *dangerous* in their conſequences, than the *refuſal* itſelf; for if they ſhould be admitted, they would effectually eſtabliſh American Independence.

It is impoſſible for the Americans to prove they *have* ſuſtained any *real* injury from Parliamentary taxation, or to advance any ſolid argument againſt it, unleſs they could make it appear that it actually *has* obliged them to contribute *more* than their proportion to the public exigencies.

They are not a *ſeparate people*, but a *part* of one great *Community*; on this *Community* a heavy burden of debts and taxes is impoſed. Reaſon and juſtice require that every member of it ſhould bear a **proportionate part* of this weight; and the *important truſt* of *eſtimating* this proportion,

* As this proportion does not ariſe from any *particular* tax, but from an *aggregate* of many, it may be juſtly preſerv'd, though ſome particular taxes are paid *only* in *Britain*, and others *only* in *America*. Mr. P. maintains a contrary opinion. See Thoughts, P. 43.

tion, was, by the *Conſtitution* of Government which was eſtabliſhed at the Revolution, *by the joint conſent of the whole Community*, confided to the *Britiſh Houſe of Commons*; and ſo far has that auguſt aſſembly been from abuſing this *truſt* with reſpect to the Colonies, by exacting from them *more* than their proportion, that it has never yet aſſeſſed *near ſo much*. If *any* part of the Community has reaſon to complain of this, it ſurely cannot be the *Americans*; becauſe though they have added conſiderably *more* than their part to the *burden*, they are not required to *bear* even a *proportional* ſhare of it. Yet they not only *complain* of *oppreſſion*, but actually *refuſe* to contribute *any thing*, leſt they ſhould be compelled to contribute *more* than they ought. They withdraw their confidence from the Britiſh Houſe of Commons, not becauſe it *has been*, but becauſe it *may be* abuſed; and as every *truſt* neceſſarily ſuppoſes a *poſſibility* of being betrayed, it muſt be admitted either that the conduct of the Americans cannot be *juſtified*, or that the Houſe of Commons is not *worthy* to be *truſted*. Yet by the advocates of their cauſe we are told, that though the *Americans* cannot *ſafely* repoſe in the *Britiſh Houſe of Commons* this important truſt of *eſtimating their proportional contribution*, *Britons* may without *the leaſt danger* confide it to the *Provincial aſſembly* of each particular Colony.

The

The conciliatory propoſition offered to the Americans in 1775, was as favourable to them as they could reaſonably deſire; and it was wiſely calculated to quell the rage of civil war, by appeaſing the groundleſs fears of America, and preſerving the rights of Great-Britain; nor does it contain any expreſſion which could juſtify the Congreſs in declaring it to be inſidious. From the clear and impartial remarks on this tranſaction contained in Mr. P——y's pamphlet, from p. 56 to 61, it plainly appears, that the propoſition might have been expreſſed with *greater* preciſion; but as he, with his accuſtomed candour and moderation, fully exculpates Lord N—h from the ſlighteſt imputation of intending to *deceive* the Congreſs, the terms he offered them could not juſtly be called *inſidious*; beſides which, they were on the moſt *unfavourable* conſtruction manifeſtly *advantageous* to the *American people*. Neither was this propoſition offered as a *definitive* treaty which could not admit of any *alteration*, but as an *overture* to a negotiation. Had the Congreſs entertained the leaſt inclination for peace, they would have propoſed their *particular objections* to the propoſition, and required an *explanation* of any *ambiguous* expreſſion which they ſuppoſed it to contain; but to prove beyond the poſſibility of a doubt that nothing

leſs

leſs than *Independence* would content them, they not only declared the propoſition to be *inſidious*, but that the *requiſition* to furniſh *any aid*, *any contribution* under the form of a tax, was *unjuſt*, and that the *Britiſh Parliament* was a body of men EXTRANEOUS to their CONSTITUTION.*

Notwithſtanding the diſcouraging and contemptuous manner in which every overture towards a reconciliation on the part of Great-Britain has hitherto been rejected, Adminiſtration have again attempted to put an end to this fatal contention; and however opinions may differ reſpecting the *merits* of the diſpute, every friend to Great-Britain and to America muſt agree, that it is for the common advantage of both, to bring it to a *ſpeedy* and *amicable* termination. To effect this ſalutary purpoſe, nothing ſeems to be wanting but a *mutual* diſpoſition to unite, a *reciprocal forgiveneſs of real or ſuppoſed injuries*. There can be no doubt but if ſo happy a diſpoſition prevailed, ſome plan might be adopted by which the *rights* of Great-Britain, and the *liberties* of America might be equally and permanently ſecured, by which they might again become *one community*, inſeparably united by the ſtrong ties of common intereſt and reciprocal affection.

* See Appeal, P. 112 and 120.

F I N I S.

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